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TRANSCRIPT

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MONTGOMERY COUNTY COUNCIL

PRESENT

Councilmember Phil Andrews, President

Councilmember Roger Berliner, Vice President

Councilmember Marc Elrich

Councilmember Valerie Ervin

Councilmember Nancy Floreen

Councilmember Michael Knapp

Councilmember George Leventhal

Councilmember Duchy Trachtenberg



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1 COUNCIL PRESIDENT ANDREWS:

2 You all set? Yes. OK. Good morning, everybody. Welcome to a meeting of the county
3 council and our worksession on the FY10 operating budget. We have a lot of items on the
4 agenda this morning and we're gonna begin with the Department of Health and Human
5 Services, which is a--one of our largest agencies, and we have a packet prepared by
6 Linda McMillan, Vivian Yao, and Peggy Fitzgerald-Bare that's very thorough, and I will
7 now turn the--part of the meeting over to George Leventhal, the chair of our Health and
8 Human Services Committee. Councilmember Leventhal.

9
10 COUNCILMEMBER LEVENTHAL:

11 Good morning. The Health and Human Services Committee held several worksessions on
12 the Department of Health and Human Services operating budget. We met on April 13,
13 April 16, April 23, April 27, and April 30. We're joined by the director of our Health and
14 Human Services Department, Uma Ahluwalia, along with her Chief Operating Officer
15 Corinne Stevens. And--now, the way the packet is organized, we have a--sort of a brief
16 outline of the committee's actions on pages 2 through about what--

17
18 UNKNOWN SPEAKER:

19 2 and 3.

20
21 COUNCILMEMBER LEVENTHAL:

22 Pages-- oh, pages 2 and 3. OK. And then we'll get into detail on some of these. I'm gonna
23 be working with Linda McMillan to crosswalk into the packet deeper on those areas where
24 I think it needs further discussion. So--so beginning-- let's see now, on page 2 and then
25 where's the detail on administrative services?

26
27 LINDA McMILLAN:

28 Page--page 2 and 3 is just a summary of changes that the committee recommended, and
29 then starting at page 4 are tables that have the items within the budget that the committee
30 recommended and your major points of discussion. So, for example, on administration
31 and support, the committee recommended to change items, and then starting on page 4,
32 you'll see the discussions the committee--that had a lot of discussion about contract
33 monitoring, integrated case management, and neighborhood network. And then there is
34 more even detailed discussion in the--later in the packet.

35
36 COUNCILMEMBER LEVENTHAL:

37 OK. Why don't we then begin on page 4 and why don't we ask Uma to give us a brief
38 update on contract monitoring? It's been in the news and the Inspector General has been
39 looking into it, so let's hear how we're doing.

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1 UMA AHLUWALIA:

2 We actually put together a strategic plan around contract monitoring. The executive has
3 included in his budget one additional work year and some dollars for a contract position to
4 support this. We're creating a fiscal monitoring unit within HHS to help support our
5 program monitors who've primarily been going out and doing both functions, and one of
6 the things we hope to do is random audits of existing contracts to see how we're doing so
7 that we continue to educate and build capacity within the department. We've also started
8 doing these brown bags since last fall to begin to educate our own monitors on specific
9 recommendations and in partnership with the Office of Procurement have developed an
10 HHS-tailored contract monitoring training, and we expect 100% of our monitoring staff to
11 have gone through the training by the end of fall of this year. So we're engaged in a few
12 activities internally. We're also reaching out to the provider community to begin doing
13 some trainings with them and to lay out some very clear expectations of what kinds of
14 evidence we want them to turn into us. So we're working on both ends. The plan as we
15 submitted it to Mr. Firestine was approved and we're beginning implementation now, and
16 we're happy to share that with council as well.

17
18 COUNCIL PRESIDENT ANDREWS:

19 Anything else? OK. All right. OK. That's fine. Any questions on that? Councilmember
20 Knapp has a question or comment about something before.

21
22 COUNCILMEMBER KNAPP:

23 I think it's on page 4 on Administration and Support, and on page 2 when you talk about
24 the ESOL modifications. I was just unclear--I didn't realize we were still funding ESOL
25 programs outside of MCAEL, and I was just curious--I didn't have a chance to get through
26 all the details, but what programs do we have that are outside MCAEL?

27
28 LINDA McMILLAN:

29 We have--the budget of DHHS has--came over with some funds for CASA, for the Silver
30 Spring team, and for ESOL in the upcounty, and so the discussion that we had in the
31 committee was that the executive had recommended some adjustments to each of those,
32 and then the committee discussed that they would concur with the adjustments, but that
33 the money in the base of DHHS ought to make its way over to MCAEL so that everything
34 is in the common place that the council has established to make sure that, you know, we
35 have consistency and quality and oversight and all those kinds...

36
37 COUNCILMEMBER KNAPP:

38 Yeah, because I thought--I guess I thought we'd done that last year, so I was surprised to
39 see--
40



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1 LINDA McMILLAN:

2 This money had not come out. I--I need--I think probably staff has a little more work to do
3 to make sure we know what the dollars are that are transferring over, because there has
4 been some discussion about the CASA dollars that are actually needed in FY10 that did
5 not initially show up in the executive's budget. But the committee's recommendation was
6 to concur with the executive's funding but to have the money go into MCAEL so that we
7 end up in that common place.

8
9 COUNCILMEMBER KNAPP:

10 OK. Will the money actually end up in MCAEL?

11
12 LINDA McMILLAN:

13 If we--it's--

14
15 COUNCILMEMBER LEVENTHAL:

16 We will appropriate it through the NDA.

17
18 COUNCILMEMBER KNAPP:

19 OK. OK. All right.

20
21 LINDA McMILLAN:

22 It's our understanding, too.

23
24 COUNCILMEMBER KNAPP:

25 OK. Good. No, thank you. And I appreciate the update on--on the contract-- contract
26 monitoring piece, because I think that's critically important. I appreciate the chair's
27 oversight of that as well. Thank you.

28
29 COUNCIL PRESIDENT ANDREWS:

30 Thank you.

31
32 COUNCILMEMBER LEVENTHAL:

33 OK, I'm--I'm not going to--unless councilmembers request it, I'll just note that the director
34 is working on integrated case management, which is an approved best practice. If there's
35 a desire for discussion on that, I'll pause, but it doesn't appear that there is. With respect
36 to the neighborhood network, why don't we just have a couple of sentences from Uma on
37 the status of that?

38
39 UMA AHLUWALIA:

40 We have been open in Gaithersburg for about 7 weeks now. In the month of April, we saw
41 200 clients walk in the door in Gaithersburg, so that tells you the level of need. We
42 opened Wheaton 2 weeks ago and we're starting to see an uptick. We opened in Wheaton

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1 with Catholic Charities at the McCarrick Center. We opened in Gaithersburg at the Family
2 Services Agency. These non-profit partnerships have been critical. The other partnership
3 that is absolutely vital to the success of this effort is Impact Silver Spring, who are doing
4 the community organizing and the neighborhood door-knocking and creating capacity in
5 the community both to--for residents to know how to care for themselves and their
6 neighbors if they're in distress and to come and use our center and to build trust but also
7 in terms of making sure that the department has a very human face on the help that we're
8 bringing into the local neighborhoods. So this has been--this is just the beginnings of a
9 great partnership. We're very excited about it. We have gone to the state and asked them
10 for support of 3 additional sites. We should hear from them shortly. We believe we'll get
11 something. We don't know if it'll fund 3 sites or 2 sites, but we're expecting some
12 resources to come in from the state as well.

13
14 COUNCILMEMBER LEVENTHAL:

15 Thank you very much. We'll look forward to your keeping the committee advised and the
16 council advised on that. So in Administrative Services, the only other change that the
17 committee recommended was to place on the reconciliation list \$249,530 for a 1%
18 adjustment for eligible non-profit contractors. The county executive did not--did not
19 recommend any adjustment this year. Historically, the executive has recommended 1%
20 and the council has recommended an additional 1% this year. The recommendation from
21 the county executive was 0%, and we either will or we won't be able to move this off the
22 reconciliation list but we thought it merited living that long, anyway. We'll see what our
23 funding situation is over the next couple of days. So, with respect to the Aging and
24 Disability Service branch, perhaps Jay Kenney wants to join us in case there are
25 questions in his service branch. The county executive's recommendations are itemized on
26 the bottom of page 5 of the memo. I will not go through each of them, but I will pause if
27 there are any questions about any of those items on the chart on the bottom of page 5.
28 OK. With respect to the elimination of tuition assistance, did-- Mike, did you have a
29 question on the chart?

30
31 COUNCILMEMBER KNAPP:

32 I did. I just--clarity on the senior nutrition meals. Something I've been watching, and I've--
33 especially in the upcounty, I know it's been an issue because of the way that the
34 reimbursement gets--works out so that sometimes there have been--more--ability to
35 provide more meals, fewer meals. It sounds like this is a good change, with--with the new
36 contract that's in place, but all I had was what I read in the packet, so I appreciate the
37 information, but I just wanted to get a quick update and see how it fits as it relates to a
38 number of--number of people we're actually serving and the consistency of it and how the
39 residents are with the actual change.



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1 JOHN KENNEY:

2 Yes, Mr. Knapp. Your understanding is correct. Our new provider that was-- a response to
3 a request for proposals. Nutrition, Inc. is the company. They are doing a great job. We're
4 very pleased. The customer satisfaction is very high, the quality of meals, temperature,
5 the service, etc., so we're very, very pleased with the way that turned out. As you may
6 know, this \$134,000 is not an expansion, it is--this will enable us not to cut over 24,000
7 meals. So that's what this-- the 134 will enable us to do. I--I do not have the total number
8 of clients or meals served at the moment. I could happily provide that for you, but again,
9 this will enable us to maintain the status quo, and if the price of meals comes down a bit,
10 of course we'll be able to stretch it further.

11
12 COUNCILMEMBER KNAPP:

13 How--and how do--how do we get the meals--I know before that the-- the actual providers
14 went and picked up the meals at some of the--at the schools and then delivered from
15 there. How do they get to the meals now?

16
17 JOHN KENNEY:

18 The meals are now delivered to site by Nutrition, Inc.

19
20 COUNCILMEMBER KNAPP:

21 OK. OK.

22
23 JOHN KENNEY:

24 And also, we are anticipating to receive in federal stimulus funds \$207,000 in the ARRA
25 funds to also provide more meals and do outreach and provide some shelf-stable meals to
26 homebound individuals in all of the county. Certainly the upcounty area, which I know you
27 had a keen interest in.

28
29 COUNCILMEMBER KNAPP:

30 So that'd be--that's more than doubling of the program.

31
32 JOHN KENNEY:

33 Mm-hmm.

34
35 COUNCILMEMBER KNAPP:

36 OK. Great. OK. Thank you. Good work. Thank you.

37
38 COUNCILMEMBER LEVENTHAL:

39 One moment, Mr. President. OK. So, again, in Aging and Disability Services, we're on
40 page 6 of the memo, and this service branch did take some significant reductions. The
41 committee did not recommend restoring these, but I do want to go through them just for
42 clarity, that in this year's budget, we are taking services away from people who have relied

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1 on them in the past. These are real reductions that will leave clients without service, and
2 they do include the contracts for customized employment as well as chore services for
3 vulnerable elderly who are not able to take care of physical activities like heavy
4 housework, trash removal. There was a reduction a year ago in the in-home aide services
5 program, and that reduced service level is maintained in this year's budget, and then a
6 10% reduction in overall funding for respite care. We've been getting a number of
7 communications from constituents about those items. The first item on page 6 is a
8 reduction in \$10,000 for qualifying low-income developmentally disabled students exiting
9 high school. It was our understanding from the department that eliminating these funds
10 will not reduce the number of clients who are able to participate in--in this certificate
11 program because all of the students, we are assured, will be eligible for a tuition waiver
12 funded through the SSI, the federal SSI program. So I'll pause to see if there are any
13 questions about the reduction in contracts for customized employment; chore services;
14 the maintained level, which is a reduction from last year on the in-home aide services; or
15 on respite care.

16
17 COUNCIL PRESIDENT ANDREWS:

18 I don't see any.

19
20 COUNCILMEMBER LEVENTHAL:

21 If not, we regrettably concur with the executive's reductions in those services given our--
22 our financial constraints. And then--so that's all the discussion on Aging and Disability
23 Services unless there are further questions from councilmembers.

24
25 COUNCIL PRESIDENT ANDREWS:

26 Nope.

27
28 COUNCILMEMBER LEVENTHAL:

29 OK. So--thank you, Jay. Keep up your good work. Behavioral Health and Crisis Services. I
30 believe Uma Ahluwalia is the acting director of Behavioral Health and Crisis Services in
31 her abundant spare time. So the chart on page 7 identifies all of the executive's
32 recommendations in this area. Are there any questions on the chart on page 7? Mrs.
33 Trachtenberg.

34
35 COUNCILMEMBER TRACHTENBERG:

36 Actually, not--

37
38 COUNCILMEMBER LEVENTHAL:

39 You might want to pull your microphone closer to you.



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1 COUNCILMEMBER TRACHTENBERG:

2 Yeah. Not a--not a question. I just wanted to thank my colleagues who serve on the HHS
3 Committee with me, in particular, the committee chair. We did a lot of heavy lifting on this
4 particular department budget, and a lot of things were put back into the budget through
5 the reconciliation list, so potentially, some will be funded at the end of the day, but I want
6 to acknowledge the effort that went into making these decisions, which, again, were hard,
7 but clearly there's a recognition by the committee that the needs are growing and that
8 given the rise in suicide for both young adults and seniors, this is an area where we're
9 gonna have to continue to make more and more investment. So I just wanted to really
10 thank my colleagues for their support.

11
12 COUNCILMEMBER LEVENTHAL:

13 Thank you for your leadership in that area. I do note that back on Aging and Disability
14 Services, there were several vendors, that--that is, contracts with non-profit providers, that
15 the committee considered together, Linda McMillan, and now I see you've broken them
16 out by service branch. So on the-- I know. So on the proposed reduction, I guess we could
17 discuss that now. I thought we were gonna discuss all those items together, because
18 that's the way the committee discussed them. From the various service branches, the
19 different vendors that were being moved from the-- from the non-competitive contract list
20 to the base. Aren't they all in one place? OK. We'll get to that. OK. So now on Behavioral
21 Health and Crisis Services, as Councilmember Trachtenberg noted, we had extensive
22 discussion on the need for increased mental health services. We want to have a follow-up
23 later this year on the implementation of recommendations from the 2002 blue ribbon task
24 force. On mental health, we will also look at the success of the mental health pilot under
25 the Montgomery Cares program. The committee discussed the proposed \$70,000
26 reduction--on the top of page 8 now--to funding for Level One outpatient treatment
27 services, and the committee requested the council to consider restoring \$70,000. We
28 placed that on the reconciliation list out of a concern that without outpatient treatment
29 services provided by the county, a large number of patients will get no care at all. And--
30 and--as Councilmember Trachtenberg just mentioned, there's a concern about the rising
31 suicide rate and other very significant social concerns where you have untreated low-
32 income mental health clients. And...we had discussion about whether--this is a very
33 important issue--stable housing for people with mental illness and substance abuse
34 issues. There is a need to find housing for people who have been incarcerated and have
35 been released. We are--we want to look at county facilities in non-residential zones.
36 We've been talking about a number of properties over the past few weeks. We understand
37 some residential communities have concerns about having facilities these clients in
38 residential neighborhoods. In some cases, individuals will be housed in residential
39 neighborhoods. In others, we ought to look at some innovative approaches to housing
40 these clients. Middle of page 8, vocational services for persons in outpatient addiction
41 treatment. Unfortunately, the committee went along with the recommendation to eliminate
42 a program specialist who was working with people in outpatient addiction treatment. We



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1 want to connect with our Department of Economic Development and the workforce
2 development services so--in the hope that perhaps some programs funded with federal
3 stimulus funds might serve some of this population, and we'll look back into this later in
4 the year. With respect to assertive community treatment, there was a change one year
5 ago about the manner in which these services were provided. They're no longer provided
6 by a contractor with the county. They're now going to be provided through the state and--
7 so far, so good. The transition, we've been told, has been smooth, and we'll continue to
8 monitor this, but it--it has not been as disruptive as we had been concerned about a year
9 before. Item 5, bottom of page 8. The Public Inebriate Intervention Team. Last September,
10 the HHS Committee held a worksession to receive an update on the current Public
11 Inebriate Intervention Team in place in the Silver Spring, Long Branch, and Takoma Park
12 area. At that time, the committee discussed with the department problems with public
13 drunkenness in the Wheaton Central Business District, and you'll recall, during our public
14 the Mid-County hearing testimony Citizens Advisory Board and from other advocates for
15 the Wheaton area that they would like to have an extension of the Public Inebriate
16 Intervention Team in Wheaton because of the high number of police and fire and rescue
17 calls associated with drunkenness and the effect that public drunkenness has on small
18 businesses and Wheaton revitalization. We have found in the Silver Spring-Takoma Park
19 area that the Public Inebriate Intervention Team is a much more cost-effective approach
20 and a more--we hope a more therapeutic approach than having the police handle these
21 calls, because the mere fact of being drunk in public is not a citable offense, and so the
22 police end up chasing their tails wasting a lot of time at a high cost and don't really have a
23 therapeutic approach to individuals with alcohol addiction problems. So, along with
24 Councilmember Valerie Ervin, who represents Wheaton, I have been advocating for
25 several months now to expand the Public Inebriate Intervention Team approach to
26 Wheaton and the committee agreed that we would request that the council place
27 \$162,420 on the reconciliation list to have a Public Inebriate Intervention Team in
28 Wheaton beginning in January, 6 months into the fiscal year. Councilmember Ervin.

29
30 COUNCILMEMBER ERVIN:

31 Thank you very much. I appreciate Councilmember Leventhal's leadership in this area, but
32 my question has to do with the \$162,000 figure in terms of how much we're actually
33 saving. What are the cost savings in response to this number, because now the police
34 don't have to respond to all the calls over and over again to pick up the--the drunk folks in
35 CBD, so I'm just curious about what the cost savings there are so that we can see what
36 the offsets are.

37
38 COUNCILMEMBER LEVENTHAL:

39 It's a really good question and the committee discussed that precise point in September.
40 We didn't have specific dollar amounts because the police who are on duty would still be
41 on duty. It's possible that there might be a reduction in overtime. We can ask the police
42 department to estimate whether there's really a workload reduction that we can quantify. I



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1 think certainly in terms of prioritization of police officers' time, there are better ways for
2 police officers to spend their time on duty, but if there's a dollar saving, it would be
3 valuable to be able to estimate that. I don't think we have an estimate today. Am I right?
4

5 LINDA McMILLAN:

6 No, I think really what you end up with is sort of a cost avoidance, because the police are
7 able to handle the many other calls that are coming in in these areas without additional
8 staffing. You probably wouldn't actually reduce the staffing, so you wouldn't get a budget
9 cut, but you do have avoidance because you're handling it in a better way.
10

11 COUNCILMEMBER LEVENTHAL:

12 OK. On page 9, Child and Adolescent Mental Health Care Coordination. We are very, very
13 concerned about the availability of services for children and adolescents that are being
14 served through the mental health system and the committee requested that the council
15 consider restoring on the reconciliation list a \$73,000 reduction proposed by the county
16 executive that would eliminate services for 10 to 15 children and restore \$10,810 that
17 would reduce training for staff at our mental health clinic in the Juvenile Services Program.
18 With regret, we did concur with the executive's recommended reduction of \$30,960 in the
19 contractual services for family and caregiver support. Any questions on that item?
20

21 COUNCIL PRESIDENT ANDREWS:

22 Nothing so far.
23

24 COUNCILMEMBER LEVENTHAL:

25 OK. Moving ahead, then, on page 9, to the Children, Youth, and Family Service Branch.
26 We're gonna be joined by Kate Garvey, director of that service branch or chief of that
27 service branch. And there is a chart highlighting the executive's recommendations towards
28 the bottom of page 9 in Children, Youth, and Families. Are there any questions on the
29 items on that chart?
30

31 COUNCIL PRESIDENT ANDREWS:

32 Don't see any at this point.
33

34 COUNCILMEMBER LEVENTHAL:

35 OK. With respect to the Conservation Corps, the county executive recommended
36 abolishing the Human Service Specialist position and 6 Conservation Corps member slots
37 for a total savings of \$136,830. The committee discussed the outcomes of the county's
38 Conservation Corps that show 50% of eligible members attained their GED, 92% of those
39 who were in the criminal justice system do not recidivate. About 44% of those entering the
40 Conservation Corps complete it. The wait list for the program is about 10 but has been as
41 high as 33. We got memorable testimony in the public hearing from participants in the
42 program, and the Conservation Corps has, I know, the strong support of all



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1 councilmembers. Money is tight. We--we can't pay for everything that we would like to
2 take off--to put back in the budget, but the committee did request that the council consider
3 on the reconciliation list restoration of the reductions to Conservation Corps and replace
4 them on the list as 2 items--\$90,790 for the Human Services Specialist and \$46,040 for
5 the 6 participants. Any questions on Conservation Corps?

6
7 COUNCIL PRESIDENT ANDREWS:
8 Nope. Nope. Good support.

9
10 COUNCILMEMBER LEVENTHAL:

11 OK. On wraparound services, the executive recommended direct deduction of \$50,000 in
12 wraparound services for youth who are gang-involved or at risk of gang involvement.
13 There is still money in the budget-- \$155,000 to serve 8 to 10 youth, and we are closely
14 evaluating the success of these programs. We heard that 93% of the children served
15 through the behavioral health slots moved or stayed in less restrictive settings. 86%
16 participate in school at least 80% of the time. And for the children served through these
17 wraparound slots, 70% of the children attended school at least 80% of the time. So we
18 were concerned about any reduction in this program because it could lead to more young
19 people being placed in out-of-home settings or hospitalization or truancy, and so we are
20 requesting that the council consider restoring \$50,000 for wraparound services for youth
21 who are gang-involved or at risk of gang involvement.

22
23 COUNCIL PRESIDENT ANDREWS:
24 OK. You're doing great.

25
26 COUNCILMEMBER LEVENTHAL:

27 OK. Middle of page 10. The SHARP suspension program. Now, this really does bear
28 some discussion. There was--this was, I think, the single largest cut proposed in the HHS
29 Department budget, and we had a number of discussions--well, we had a discussion in
30 committee at which the providers were not present. The chairman asked the director
31 whether the providers, which are mostly houses of worship, that-- well, what is the SHARP
32 suspension program? SHARP suspension program was founded by the Sharp Street
33 United Methodist Church in Sandy Spring and it is a model whereby students who are
34 suspended, middle and high school students are suspended, have a productive outlet, a
35 place to go during the day, where they get tutoring, anger management counseling, so
36 that they do something during the day, not just hanging around but also prepare them to
37 go back to school and to cope better with the issues that made--that got them suspended
38 in the first place. Now, the school policy has changed so that there is a higher standard
39 whereby students are now being suspended. The conduct for which they are suspended
40 must be both detrimental to school activities and also--I'm sorry, now I'm losing--I'm losing
41 track of the standard. There's a new standard, a higher standard for being suspended. It
42 has to be disruptive and detrimental both. And detrimental to the entire school. The result



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1 of that has been that fewer children--young people, young men and women, have been
2 suspended, but I have to say the department sort of represented to the committee that as
3 a result of the reduction in the number of students being suspended, there was reduced
4 need for the SHARP program. Subsequent conversations with the SHARP providers
5 themselves persuaded me that there really isn't a reduced need but that the numbers of
6 students being served at some of these sites is really so low that--that it isn't cost-
7 effective. We were spending so much per slot that we need to reevaluate the manner in
8 which these services are being provided. So, Vivian, let me ask you whether the narrative
9 here at the bottom of page 10 is consistent with Director Ahluwalia's most recent
10 recommendation in this area and then we'll hear from Uma and Kate Garvey about their
11 most recent proposal and how to address SHARP in 2010.

12
13 VIVIAN YAO:

14 The paragraph at the bottom of page 10--it's our understanding that that is what the
15 current proposal is from the department.

16
17 COUNCILMEMBER LEVENTHAL:

18 OK, so, Uma, I'm gonna call on you in just a minute, and Kate also, to talk about what will
19 happen now, how SHARP will move forward now, what was the thinking behind the
20 county executive's 75% cut to the program, but the proposal now before us is consistent
21 with the dollar amount recommended by the county executive--\$115,000--but 40,000 each
22 would be provided to the Burtonsville and Gaithersburg sites, which would enable a full-
23 time volunteer coordinator at those--a full-time paid position to coordinate the volunteer
24 tutors and counselors in those 2 programs, and then 20,000 each to the Sandy Spring and
25 Montgomery Village sites for direct on-site support and operating expenses, which would
26 basically allow for part-time paid assistants at those 2 sites and the expectation is that the
27 other 3 sites, I guess-- what about--what would happen here in...Bethesda and Silver
28 Spring--that's only 6. So I'm gonna let Uma and Kate tell us what is gonna happen to
29 SHARP if we proceed with this recommendation, which has not been brought before the
30 committee. Let me just clarify. This is different than what the committee approved,
31 because I met and staff met with providers late Friday afternoon, so this has been very
32 much a work in progress as we try to address the success of this program but also some
33 of the--some of the problems that it's encountered. So why don't we let Uma and Kate
34 describe for us the executives' thinking on this?

35
36 UMA AHLUWALIA:

37 When we developed the budget, there were 2 factors that--that impacted our
38 decisionmaking. The first is the issue that Mr. Leventhal raised. There have been, as a
39 result of the change in the suspension policy, a reduction in all of the sites of the children
40 being referred for SHARP programming. And as a result of their change as well, the kids
41 who are actually being suspended have much more acute needs than a--a tutoring
42 program alone would meet those needs. The second issue is that from at least my entry



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1 into county government, there has been a tension with the role of the intermediary non-
2 profit organization that was--that was contracted to create the standardization across the
3 church sites, and the one thing that I walked away from all of this discussions was the
4 very strength of the SHARP program in there so that their unique site culture and the
5 volunteer capacity and--and competence that the volunteers were bringing. So we actually
6 proposed reducing the funding for site directors and reducing--eliminating the contract that
7 existed with GUIDE and bringing the coordination function into the department in the form
8 of one coordinator-- site coordinator--multiple site coordinator and contract monitor, and
9 some operating dollars for the site. When we met on Friday with some--I think there were
10 2 of the churches there--or 2 of the sites were there--and Mr. Leventhal and staff, it was
11 clear that there-- there was a sense that they could not operate without some resource
12 support from county government. So we then applied sort of 2 criteria, which is volume of
13 students and the--the length of time that the sites have been up, and proposed staying
14 within budget. We actually added \$5,000. It actually adds up to \$120,000. Eliminating--we
15 will absorb the monitoring and oversight function within the department and give much
16 more autonomy to the local site and support 4 sites that we thought had the largest
17 volume at this time. Keep SHARP alive and then revisit this issue in subsequent fiscal
18 years. That's where we are now. Turning to Kate for any further comment.

19
20 KATE GARVEY:

21 Just in terms of clarification about the volume of the participation, what we've seen over
22 the years is that we've really averaged about 15% to 20% referrals of the number of youth
23 who are suspended each year. And so as we've seen the--the significant reduction, we're
24 seeing almost half the youth being--being suspended in these years, and we anticipate
25 that that will continue to diminish, that we again saw in terms of a policy decision that the
26 volume of youth who would be referred to the program would reduce. And, as you said,
27 Councilmember Leventhal, as we're seeing in some sites where we would have 4 youth in
28 a site in a whole month's time, sites sometimes having the maximum of having 15 youth
29 served in a-- in a whole month's time. We really struggled with the use of resources and
30 how we could truly manage this appropriately while--while making, as we know, significant
31 reductions to a program that we--we believe is a good program, but we've seen policy
32 issues and also practices, referrals from the school system, change, and we felt we
33 needed to make this-- this very difficult decision.

34
35 COUNCILMEMBER LEVENTHAL:

36 So, understand that of 7 SHARP programs in place today, we're really only now
37 recommending stable funding for 4 of those, and it's--it's--there's a very good chance that
38 councilmembers will be hearing about this in the course of the year. But given the difficult
39 with--that Uma mentioned, with the outside contractor that had been supervising the
40 programs and given the low rate of participation, and again, the joint committee--this came
41 before the HHS and Education Joint Committee--the committees did not recommend a
42 restoration of funding, and I'm not now proposing a restoration of funding. Certainly the



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1 whole issue of at-risk youth is one that the council's gonna return to, that the joint
2 committees are going to return to, but at this time, I'm not proposing additional funding. I
3 think we need--there's just too many unanswered questions about how this program is
4 being administered. So, Mr. President, I--I know that members are seeking to be
5 recognized--

6
7 COUNCIL PRESIDENT ANDREWS:

8 Well, there are a couple lights. Councilmember Floreen is first and then Councilmember
9 Ervin, Councilmember Knapp.

10
11 COUNCILMEMBER FLOREEN:

12 Ah, not me.

13
14 COUNCIL PRESIDENT ANDREWS:

15 Oh. I'm sorry. OK. Then Councilmember Ervin.

16
17 COUNCILMEMBER ERVIN:

18 Thank you very much. I just want to ask a question about the 4 sites that remain and why
19 those 4 sites were chosen, because I know through the school system's work, a lot of the
20 collaboration between the churches and the schools hasn't been optimal, from what I
21 understand, so I'm just curious about the 4 that remain, why they're chosen.

22
23 KATE GARVEY:

24 I think that the thinking was, you know, with Burtonsville and Gaithersburg, they have
25 consistently had the highest numbers of participants. Montgomery Village and Sandy
26 Spring having the--coming behind that. But--but both those sites also not having high
27 numbers, either, but I think that was the thinking that--that Uma was focusing on was that
28 higher use in those--those 4 sites, I believe.

29
30 UMA AHLUWALIA:

31 And it's my understanding that a couple other sites had such low numbers that they were
32 considering closing. And there is theory, but transportation is a huge difficulty in bringing
33 students, not that the need is not there. So--I do want to echo what Kate said. I mean, the-
34 -the need--it is a very good program. It is just--the structure of it and the--it's going through
35 a change and a transition as a result of the public school referral policies and with
36 challenges and just terms of the structure that we had in place, so it is a time for us, I
37 think, to take stock this year and try to figure out what's the best way to continue.

38
39 KATE GARVEY:

40 And I should say, in Silver Spring, we really face challenges. We had a change in a
41 location. We really saw very few referrals from the--from the schools there. In the
42 upcounty site, we really were challenged. I think people were really trying to, you know,



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1 work on these issues. We had an absence of a pastor. We also see the distances, you
2 know, the real challenges related to transportation. And so, again, I think people's
3 inclinations were very good, but as things played out, they were very challenging this year.

4
5 COUNCILMEMBER ERVIN:

6 Well, I think we need to bring this back to the Ed Committee, because it just doesn't seem
7 to make sense in a lot of ways, not the recommendation but in terms of what we're doing
8 for these children, because we have a high number, a high rate of--of students being
9 suspended and expelled. Where are they going? I don't think MCPS is handling all these
10 students with in-school suspension, because the numbers are way too high. So, we're
11 cutting the money. We have 4 sites left. They're-- none of them are in the downcounty. If
12 you take a look at where these kids are being suspended, especially in middle and high
13 school, it--it's something that's a little troubling to me, so I think it's something that we
14 should bring back to committee, joint committee, very soon to discuss where we're gonna
15 go next.

16
17 UMA AHLUWALIA:

18 If I may also add that we've been in discussions with MCPS. You know, some of these
19 children do have much more acute needs than a tutoring program would help, and--so
20 we're engaged in discussions with them as to sort of what can we do that's of a more
21 stronger wraparound structure and framework programming that would help the needs of
22 these children. And so those conversations are just beginning. So, that--that, too, from Mr.
23 Leventhal's standpoint, was a bit of a gap. You know, we hadn't reached the point where
24 we knew what those answers were, but we were diminishing those programs. So, I think
25 those are legitimate concerns that we're gonna follow up on this year.

26
27 COUNCILMEMBER ERVIN:

28 Well, one other wrinkle here is that MCPS also did away with night school at Blair High
29 School and Kennedy High School, and many high schools were these very same students
30 who got expelled or suspended then had to opt to go to night school. Now there's no night
31 school. So I'm just really curious what we're doing here in terms of a good public policy
32 approach. I--I hate to see us piecemeal this and really lose an opportunity. So I just want
33 to put my 2 cents in there and we'll continue these conversations.

34
35 KATE GARVEY:

36 And I do--we need to acknowledge that we need to have much further conversations with
37 the--with the churches because, you know, in terms of how they can manage this and
38 those that--where the program would be eliminated, we really need to do--more
39 conversation with them about what the impact of this is.



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1 COUNCILMEMBER LEVENTHAL:

2 I mean, just with respect to interaction with the churches, the department harkened back
3 to when the program started at the Sharp Street United Methodist Church, and at that
4 time, it was all volunteer and there weren't any county dollars involved. We had a
5 representative of that church present at our meeting on Friday, and she just said the
6 difficulty of recruiting volunteers is much greater now than it was then and the level of
7 expectation is higher since the program has been up and running for many years, and if
8 you have students show up but your volunteer tutor/counselor doesn't show up, that was
9 just not a risk that the church is wanting to take any longer. So having--so with the
10 department sort of optimistic--well, let's go back to those happy days when it didn't cost
11 anything and everyone was volunteering and making it work, at least one provider said
12 that model won't work any longer.

13
14 COUNCIL PRESIDENT ANDREWS:

15 OK. Thank you, Councilmember Ervin. Councilmember Knapp has a question as well.

16
17 COUNCILMEMBER KNAPP:

18 I appreciate the comments from both of the chairs of the Education and HHS Committees
19 and I know that Kate and Uma both focused on this as well, so I thank you for your efforts.
20 I guess--kind of piggybacking on what Ms. Ervin has just indicated, Sharp Street was a
21 model that was in response to a specific need that a community set up and it seemed to
22 be something that fit lots of places, and for a while it did, and so I think you're right-- it's
23 time for us to go back and revisit, but we've heard from MCPS they've changed their
24 suspension policy. Depending upon which school I talk to, I hear different
25 characterizations as to what that suspension policy looks like. And so perhaps rather than
26 try to say we have the Sharp Street box and we're trying to figure out how to make that fit,
27 I think it's gonna be important for us in the coming months to really say what are the new
28 policies within MCPS? What are the thing--who are the students who are no longer
29 serving in-school suspensions and so what are--what are the needs we're actually trying
30 to meet? And so I hope that in the coming--next 4 to 6 weeks, we can really begin to get
31 our arms around that and coordinate closely with HHS and with MCPS and figure out what
32 the best strategy is. If it turns out the Sharp Street model is a good one and we continue
33 to do it, then great. If we need to take a different approach, then hopefully we have the
34 willingness and the--and the open-mindedness to be able to come up with a different
35 strategy, because I think that may--we may be in a different point in a different time and
36 may require a different solution.

37
38 COUNCILMEMBER LEVENTHAL:

39 OK, so, just--just to be clear, since the joint--since things have changed since the joint
40 committee met, I think it actually requires a motion that the council concur with the
41 director's recommendation that the \$115,000 would be allocated as follows:



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1 \$40,000 each would go to the Burtonsville and Gaithersburg sites, \$20,000 each would go
2 to the Sandy Spring and Montgomery Village sites, and staff coordination would be
3 absorbed by the department. So, I'm gonna move that at this time.

4
5 COUNCIL PRESIDENT ANDREWS:

6 OK. Is there a second?

7
8 COUNCILMEMBER KNAPP:

9 Second.

10
11 COUNCIL PRESIDENT ANDREWS:

12 OK. Moved by Councilmember Leventhal, seconded by Councilmember Knapp. Any
13 discussion? All right. All those in favor. That is unanimous, and the Education Committee
14 will return to this with HHS after the budget.

15
16 COUNCILMEMBER LEVENTHAL:

17 OK. So that concludes Children, Youth, and Families. Thank you for your leadership, Kate
18 Garvey...

19
20 LINDA McMILLAN:

21 Mr. Leventhal?

22
23 COUNCILMEMBER LEVENTHAL:

24 Yes.

25
26 LINDA McMILLAN:

27 I'm sorry I actually didn't put it up in the front, but this might be the time when you want to
28 talk about the contracts in the base budget, because it was in Children, Youth, and
29 Families that you first had the discussion.

30
31 COUNCILMEMBER LEVENTHAL:

32 OK, so what page are...

33
34 LINDA McMILLAN:

35 I would say if you went to page 54 of your memo.

36
37 COUNCILMEMBER LEVENTHAL:

38 OK.

39
40 LINDA McMILLAN:

41 If you went to page 54 of your memo, you would see the contracts that were
42 recommended for inclusion in the base budget this year by the executive in Children,



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1 Youth, and Families, and so--and I would tell you that in addition to that, throughout the
2 memo, other places where this same shift was recommended were Potomac Community
3 Resources with a \$60,000 shift, Food and Friends, an additional 20,000, the Alzheimer's
4 Association for \$92,000, Top Banana for \$51,740, and Bethesda Cares for \$15,000, and
5 so at that point, the committee had asked to get some overview information of all these
6 contracts and then determine, you know, what policy might or might not have been used
7 by the executive, and actually--and I know this is hard--but in your pages of attachments,
8 the committee did ask for information. This is at circle 63 in the attachment section of all of
9 the community grants that have been--some of them have been moved, and so the
10 department did provide that and the committee did go through that and have some
11 discussion of the criteria that was used, and accepted most of the recommendations. But I
12 think now might be the time when you would want to have any discussion about the one
13 change that you did have.

14
15 COUNCILMEMBER LEVENTHAL:

16 OK, well, there were no criteria. The--I--the exec now--I'm sorry. Do we have--on page 54
17 only some...

18
19 LINDA McMILLAN:

20 This is the Children, Youth, and Family ones.

21
22 COUNCILMEMBER LEVENTHAL:

23 Right. We don't have them all...

24
25 LINDA McMILLAN:

26 They're not all listed in the packet. I'm sorry. I can tell you the other ones.

27
28 COUNCILMEMBER LEVENTHAL:

29 So-- well, and you did, just a moment ago, but we don't have them all listed. So there were
30 about 8 total non-profit service providers that have been working with the county for
31 several years and that were funded in the non-competitive NDA as community grants.
32 Some of them, presumably, had been recommended by the executive, some
33 recommended by the council. It was the department and the county executive's view that
34 these services were such a vital part of the HHS portfolio that they ought to be included in
35 the base rather than carried as one-time grants over and over and over again. You can't
36 consider it a one-time grant if it's being renewed every year and is very consistent with the
37 department's mission. Of those that the county executive recommended, one in the
38 amount of \$20,000 for Food and Friends, which has been supported by the county for
39 many years now. The committee recommended not going along with and suspending the
40 grant because it came to the committee's attention that the executive director of that
41 organization, his compensation substantially exceeds \$300,000 and that that's way out of
42 sync with other similar-sized non-profits. The revenue is less than \$10 million a year and

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1 that seemed to the committee to be an abuse. The reason that we learned about the
2 executive director of Food and Friends' compensation was because of an initiative by the
3 council president. President Andrews had suggested this year for the first time that in our
4 grant application for council grants, non-profit organizations should submit the
5 compensation of individuals in the organizations that exceeded \$100,000. I think that was
6 the criterion. And, you know, there are several, and many of these are large, complex
7 non-profits, and we're not embarked upon a crusade to impose salary caps, but this one,
8 Food and Friends, given the size of its annual revenue and the extraordinary size of the
9 executive director's compensation, the information that we learned as a result of President
10 Andrews' request seemed abusive, and so we're not recommending that that one be
11 funded.

12
13 COUNCIL PRESIDENT ANDREWS:

14 OK. Councilmember Knapp has a question.

15
16 COUNCILMEMBER KNAPP:

17 I guess I was intrigued by the language that was used. The notion of having some criteria,
18 and I-- and I appreciate, as the chair indicated, the criteria has been those things have
19 kind of been showing up year after year. But is there anything that--as we move to kind of
20 get our grants program a little more standardized so that people have some level of
21 expectation, is there--is there any written documentation as to what allows an organization
22 to move from something that's just been a grant to something that moves into...the base
23 budget, and how that review takes place?

24
25 BERYL FEINBERG:

26 Thank you, Mr. Knapp. No, there is not any written criteria, but the idea had been more
27 that the--the service would be ongoing, but that in the future, the vending--the choice of
28 the vendor may go out for competition, but no, there is no written criteria.

29
30 COUNCILMEMBER KNAPP:

31 And do we have--you know, there may be reasons not to. I just--is there a thought as to
32 maybe moving in that direction so it's a clearer process for people or not?

33
34 UNKNOWN SPEAKER:

35 I don't think we have really taken that up. We would have to look at that next year.

36
37 COUNCIL PRESIDENT ANDREWS:

38 OK. All right. Thank you, Councilmember Knapp. Council Vice President Berliner.

39
40 COUNCIL VICE PRESIDENT BERLINER:

41 Just wanted to add that I supported the chairman's view with respect to this. I would
42 simply characterize it not as one of being abusive, as the chairman just mentioned, but as



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1 one that I'm just not comfortable supporting. This-- organizations are free to compensate
2 their CEOs, etc., the way in which they care to, but if they're coming to this council for
3 support, I think it's fair for us to say, "This just feels out of line for us." So it's on that basis
4 that I supported this action.

5
6 COUNCIL PRESIDENT ANDREWS:

7 OK. All right. Thank you. Councilmember Leventhal.

8
9 COUNCILMEMBER LEVENTHAL:

10 And I appreciate the committee's concurrence on this. I do want to point out that the
11 federal tax law prohibits the use of tax-exempt contributions for private inurement, and
12 that the Internal Revenue Service does from time to time investigate situations that appear
13 abusive, and I--I will stick with the language that I used, although I attribute it only to
14 myself, that this situation appears abusive to me. So...ah. Well, now, this is interesting.

15
16 COUNCIL PRESIDENT ANDREWS:

17 Councilmember Leventhal, one other question on this issue. Councilmember Floreen.

18
19 COUNCILMEMBER FLOREEN:

20 Well-- OK. Fine. I just wanted to compliment you, Mr. Leventhal, on finding this out, and--
21 because I fully support your views on this and to the extent that we are giving--transferring
22 dollars to other non-profit groups, which have similar compensation requirements, I think
23 it'd be perhaps worth our while over the--in the coming year to take a look at that, because
24 I absolutely agree with you. We want our money being used for direct services, and if our
25 money is using to supplant money that's otherwise going to pay extraordinary salaries to--
26 to non-profit leaders, I think we want to--we might want to establish a policy on that
27 regard--in that regard. So, my hat is off to you in this regard, and I think something to keep
28 on the list of things to look into. Thank you.

29
30 COUNCILMEMBER LEVENTHAL:

31 I appreciate that. Now, look, we do need to clarify this, because we did not discuss this in
32 committee. So staff has now brought to my attention that there was a total of \$55,000
33 recommended for this organization. The \$20,000 which came to the committee's attention,
34 I guess, was an increase or was the amount to be transferred to the base. How much in
35 total is the contract proposed for this organization in 2010?

36
37 LINDA McMILLAN:

38 There's been about 35, 000 in the base for several years and there was an additional
39 20,000 that had been in the community grant and was shifted into the base, and so in the
40 budget, the incremental item was the 20, and so I just wanted to make sure I reflect--
41 reflect correctly the committee's decision on the amount of funding that's being eliminated.



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1 COUNCILMEMBER LEVENTHAL:

2 OK. That discussion did not take place in committee. What took place in committee was
3 the discussion about the \$20,000 that had been recurring one-time grant. My proposal,
4 and I will now move, that we send a very clear signal to this organization which has
5 provided extraordinary and really an outlier in compensation. I understand the services it
6 provides are worthwhile and important. I hope the organization hears our message. So, I
7 would actually cut further into the base, and I would now move that we delete the \$35,000
8 that would otherwise be provided for this one non-profit vendor. Look, there's a wide range
9 of services that are provided by many, many, many vendors. Many worthy applicants have
10 come to us requesting council grants. If we free up an additional \$35,000 here, I
11 understand that important services to needy clients will be cut, but that is my motion at
12 this time.

13
14 COUNCIL PRESIDENT ANDREWS:

15 OK. Moved by Councilmember Leventhal, seconded by Councilmember Elrich, and I will
16 support this as well. Just a little background on this whole issue, and that is that what we
17 asked in the community grant request this year was for information that's already provided
18 by the non-profits on their 990s about compensation, so we essentially said we want to
19 see that information as well so that we can have it as a consideration if something stands
20 out that seems out of line. So we had that information for all the grant requests that were
21 made this year and it was, I believe, provided as well to our grants advisory panel, and the
22 committee had it as a consideration, and I think it is something that is important to have, to
23 factor in to see if it's within reason or not, so I do support the motions. I think that it is out
24 of line with the size of the organization. OK. Any other discussion on it?

25
26 LINDA McMILLAN:

27 Just one other clarification. As a part of the wraparound discussion that Mr. Leventhal
28 gave you, which talked about the committee wanting to restore the wraparound slots, they
29 also asked to restore the therapists in the screening and assessment program...

30
31 COUNCILMEMBER LEVENTHAL:

32 We need to--we have a motion in front of us, Linda. We need to act on the motion.

33
34 COUNCIL PRESIDENT ANDREWS:

35 Yeah. We've got one motion before us. I don't see any other comment. OK, all those in
36 favor of the motion, please raise your hand. And that is unanimous.

37
38 COUNCILMEMBER LEVENTHAL:

39 OK, so, now, just to conclude on the matter of the other organizations that are proposed
40 no longer to be funded on the non-competitive NDA but rather to be included in the base,
41 that's now before the council. So, the committee had no objection to the other
42 organizations. We understand it would be desirable to have some clear mechanism where

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1 one-time grants are converted into the base, but we did not object to--to the department's
2 view that all of these other services were part of the department's portfolio and were
3 provided in a cost-effective manner by these non-profit service programs.

4
5 COUNCIL PRESIDENT ANDREWS:
6 These are the 5 listed on page 54?

7
8 LINDA McMILLAN:
9 And the other 5 that I mentioned to you, which I can read to you again also, and...

10
11 COUNCIL PRESIDENT ANDREWS:
12 Why don't you go ahead?

13
14 LINDA McMILLAN:
15 It is Potomac Community Resources, the Alzheimer's Association, Top Banana, and
16 Bethesda Cares.

17
18 COUNCIL PRESIDENT ANDREWS:
19 OK.

20
21 COUNCILMEMBER LEVENTHAL:
22 OK. So that--so that--now--now, Linda-- So there's no objection.

23
24 COUNCIL PRESIDENT ANDREWS:
25 No objection.

26
27 LINDA McMILLAN:
28 And then also, as a part of the wraparound discussion, in addition to restoring the actual
29 wraparound slots, the committee also did recommend that the funding for SASCA, which
30 is the Screening and Assessment Unit for Children and Adolescents, that that therapist
31 also be on the reconciliation...

32
33 COUNCILMEMBER LEVENTHAL:
34 Yeah. I was gonna get to that. I'm going back to Children, Youth, and Families.

35
36 LINDA McMILLAN:
37 I thought you--

38
39 COUNCILMEMBER LEVENTHAL:
40 Oh, I guess--oh, we didn't mention the SASCA. Linda, you're correct. Thank you very
41 much. So-- so the rest--now on page 2 of the highlights at the beginning of the package
42 just to recap. We--we requested restoring \$90,790 in funding for the Conservation Corps,



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1 for the Human Services Specialist, \$46,040, for 6 slots for Conservation Corps
2 participants. This is on page 2. The \$126,650 for a Therapist II in the Screening and
3 Assessment Services for Children and Adolescents program, and then \$50,000 for
4 community-based wraparound slots for youth being served through juvenile services. So
5 those are the adds that we're requesting on the reconciliation list. So that's the end of
6 Children, Youth, and Families.

7
8 COUNCIL PRESIDENT ANDREWS:
9 OK. Very good.

10
11 COUNCILMEMBER LEVENTHAL:

12 Yeah, I'm--I'm jumping all over the packet here. We are now on page 11 of the packet and
13 we are beginning the discussion of the public health services branch, whose chief is our
14 public health officer Dr. Ulder Tillman. OK. The recommendations in the county
15 executive's budget that the committee agreed with are listed in a chart at the top of page
16 11. I'll take a moment to see if councilmembers have any questions about those items, the
17 items with which the committee concurred. It appears that no questions were asked on
18 that. So, with respect to Montgomery Cares, the county executive recommended a net
19 reduction of \$908,320 to the Montgomery Cares program, which is our primary care
20 program for low-income, uninsured residents. The committee had an extensive discussion
21 with the department in which the assumptions were outlined regarding patient growth,
22 number of primary care visits, the reimbursement of \$62 per visit, and what will happen in
23 Fiscal 2010. The 2010 budget is based on an expectation that there would be 22,500
24 patients throughout the county. This is an increase of just below 19,000 patients through
25 March 31 of the current fiscal year. If the rate of participation continued through the end of
26 the fiscal year, that would be 25,308 patients in Fiscal '09. Montgomery Cares advisory
27 board suggested that 28,000 patients may participate in Montgomery Cares in 2010.
28 Montgomery Cares advisory board recommended an FY10 budget of \$6.6 million for
29 primary care encounters, but the county executive only--for primary care encounters and
30 pharmacy costs, the county executive only recommended \$5.7 million. It is desirable to
31 expand the size of this program and serve more patients. The committee discussed how
32 we might manage the number of patient encounters and whether indeed we are gonna be
33 turning patients away in 2010. We agreed to accept the recommendation for primary care
34 visits, although we added some clinic capacity on the reconciliation list, and I'll get there in
35 a moment. We requested that the committee receive an update on the number of patients
36 and encounters, and a commitment that patients will not be turned away, and that we
37 would continue to monitor the funding as the year proceeds. And we also did not support
38 a policy proposal that had been floated where rather than having prescriptions filled on-
39 site at our primary care clinics, the proposal was that patients would be referred to private
40 pharmacies--Giant, Safeway, CVS, Costco, Walmart. The committee didn't like that
41 suggestion. We were concerned about non-participation by patients who might not get
42 their prescriptions filled if they aren't filled right there on-site. Montgomery Cares Advisory



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1 Board requested \$660,000 total for specialty care. The executive provides only \$613,470,
2 and the Health and Human Services Committee requests that the council consider
3 \$47,000 on the reconciliation list to meet the advisory board's Fiscal '10 request for
4 specialty care services. Regarding the Behavioral Health pilot program, which provides
5 mental health services as a integrated part of primary care, the executive's budget would
6 reduce funding for the pilot by \$70,000. The Montgomery Cares advisory board
7 recommended against the reduction and the committee requests that the council consider
8 an additional \$70,000 on the reconciliation list to restore the behavioral health pilot to the
9 FY09 level. So...again, on Montgomery Cares, we added 2 items. Where were the clinic
10 requests?

11
12 LINDA McMILLAN:

13 They're in the grants and they are on page 14 if you'd like to review those...

14
15 COUNCILMEMBER LEVENTHAL:

16 I'd like to while our mind is on Montgomery Cares. So--so \$70,000 for the behavioral
17 health pilot, \$47,000 for specialty care services would be added to the reconciliation list,
18 and then the grants are on which page?

19
20 LINDA McMILLAN:

21 Page 14.

22
23 COUNCILMEMBER LEVENTHAL:

24 OK. So in connection with the Montgomery Cares clinics, the committee reviewed 5
25 council grant applications from primary health care providers, and the Montgomery Cares
26 advisory board reviewed and provided recommendations on the clinic applications. For
27 Community Ministries of Rockville, the Montgomery Cares advisory board did not support
28 the request for \$46,928 for part-time staff for wraparound and health promotion services.
29 The Montgomery Cares advisory board noted that its primary priority is to add primary
30 care capacity, and this was for wraparound services and health promotion, not for direct
31 primary care. The committee did not recommend this funding, although Councilmember
32 Trachtenberg did support it. For Mary's Center, Mary's Center for Maternal and Child Care
33 requested \$50,000 for mental health counseling. The Montgomery Cares advisory board
34 opposed this funding of individual clinic positions, preferring to reimburse clinics through
35 the per-patient encounter payment of \$62. The Montgomery Cares advisory board's view
36 was that funding personnel essentially is double payment and that funding a mental health
37 counselor at only one clinic would not be equitable. Consistent with the Montgomery
38 Cares advisory board's recommendation, the committee did not recommend the \$50,000
39 from Mary's Center, although Councilmember Trachtenberg did support it. For Mercy
40 Health Center, the clinic requests \$50,000 for clinic expansion of 1,800 square feet, and
41 the Montgomery Cares advisory board agreed with this. They recommended it fits with the
42 priority of increasing capacity. The committee--oh, I'm sorry. 2--2 of us--the committee--2-

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1 to-one recommendation was to place \$50,000 on the council reconciliation list for
2 expanding Mercy Health Center consistent with the recommendation of the Montgomery
3 Cares advisory board. Councilmember Trachtenberg did not concur with this
4 recommendation. For mobile medical care, the request was \$130,000 to continue the
5 volunteer coordinator, and a specialty care coordinator. Montgomery Cares advisory
6 board did not support this request, noting that it was the third year Mobile Med had
7 requested funds for these 2 positions. These are worthwhile positions, but the advisory
8 board, again, raised the issue of equity. They said all clinics could benefit from these
9 positions, and their preference is for the per-patient reimbursement mechanism for clinics
10 to meet their costs. Nevertheless, the committee recommended that we place \$130,000
11 for these positions for Mobile Med, for volunteer and specialty care coordinators. Second
12 request for Mobile Med was funding a nurse practitioner at the Germantown clinic. Again,
13 the Montgomery Cares advisory board is not friendly to the idea of funding individual
14 positions, and nevertheless, the committee recommended \$100,000 on the reconciliation
15 list for the nurse practitioner in Germantown. Now, does that cover all the clinic requests?
16 And so that, then, addresses everything related to the Montgomery Cares program.

17
18 LINDA McMILLAN:

19 And I would just say that Mobile Med did withdraw a couple of--Mobile Med did withdraw a
20 couple of requests that they had made, and they informed the committee that these were
21 their priorities.

22
23 COUNCILMEMBER LEVENTHAL:

24 OK. I'll pause it now for any discussion on Montgomery Cares from colleagues.

25
26 COUNCIL PRESIDENT ANDREWS:

27 All right. Councilmember Elrich.

28
29 COUNCILMEMBER ELRICH:

30 I just have a quick question. I kind of, like, was understanding the logic on not funding
31 things and accepting the per-patient payment that was used in the first couple of decisions
32 that came out of the committee, but the--but number 5 seems to reverse that, so what was
33 the logic for--you know, is there a logic for when you apply it and when you don't apply it?

34
35 COUNCILMEMBER LEVENTHAL:

36 Right. It--It's a very fair question. My--you know, an item that's on the reconciliation list is
37 not guaranteed to survive, and without giving away any--anything confidential, my own
38 preference when we get to the hard decisions about what makes it off the reconciliation
39 list and into the budget is gonna be consistent with the Montgomery Cares advisory board.
40 I think committee members-- I mean, I'm speaking mostly for myself here; other committee
41 members can chime in--but I think we just have great confidence in Mobile Med. It's really
42 the longest established and...in many ways, has the best reputation of all of our clinics,



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1 and so I think we just felt that any dollars allocated to care at Mobile Med would be dollars
2 well spent. Mr. Berliner may want to elaborate, or Mrs. Trachtenberg. You're correct in
3 noting an inconsistency.

4
5 COUNCILMEMBER ELRICH:

6 I'm very supportive of Mobile Med and I would agree with your assessment. They're
7 probably the most effective of our practitioners, among the most effective of our
8 practitioners. I was just wondering because it seemed to be the argument was made one
9 way or the other. Is there--is there really an avoidance or a double payment that actually
10 translates into something real, or is that just a hypothetical, that double payment?

11
12 COUNCILMEMBER LEVENTHAL:

13 I--I think it's really good question, and I think that--I would just repeat, I think any dollar
14 spent in these primary care clinics is a dollar well spent. The hope is, is that we're
15 establishing an across-the-board mechanism. The hope of the Montgomery Cares
16 advisory board is that we're establish an across-the-board mechanism that treats all
17 clinics the same. That's an approach. The reality is not all clinics are the same, and we
18 have had some irregularities in the past, and positions have been funded at some clinics
19 and not in others. Whether we address that in equity or not is--is a policy decision that--
20 that we can decide. The Montgomery Cares advisory board is--is working towards a
21 uniform approach to all these clinics. The county's interaction with these clinics has not
22 been uniform up to now.

23
24 COUNCIL VICE PRESIDENT BERLINER:

25 Mr. Chairman, if I could. You correctly observed that you were speaking for yourself with
26 respect to your own sense of priorities on reconciliation list. I did want to point out that
27 there is a difference between the 2. If you look at number 2, I believe it is the Mary Center
28 that was being referenced. The Mary Center staff person was for mental health
29 counseling, a new position, which isn't to say it would not be important, but it was not
30 perceived to be as important as an ongoing service that had been providing incredible
31 support for core health services. So we would be, in effect, cutting something that has
32 existed and providing incredible help versus adding to another program, and I believe that
33 that's an important distinction, and there may have been others as well, but staff could--

34
35 LINDA McMILLAN:

36 I just also wanted to clarify, in addition to the grants that were just discussed, there was
37 money that the executive recommended taking out of the DHHS budget for Mobile Med
38 and for Proyecto Salud that the committee also has asked be restored on the
39 reconciliation list, and again, that is for support of primary care services and has been in
40 place for several years.



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1 COUNCIL PRESIDENT ANDREWS:

2 OK. Thank you, Councilmember Elrich and Council Vice President Berliner.
3 Councilmember Trachtenberg.

4
5 COUNCILMEMBER TRACHTENBERG:

6 Thank you, President Andrews. Actually, Councilmember Elrich, Marc, the question that
7 you posed about Mobile Med, as the committee chair George Leventhal indicated, is an
8 excellent question, and I guess my understanding from the conversation that we had in
9 committee, and I think it's an important point to make, is that one of the other reasons why
10 the funding for the Mobile Med dollars was--was recommended by committee is really
11 because there's a recognition that we are transitioning. In other words, there are still
12 things that are gonna be worked out with the department around fees, and obviously, we
13 are well aware that the program is--is expanding, and no doubt it will continue to do that.
14 So, I guess my comfort zone around this was that we were looking to walk people down
15 the--the road and-- and thought that it was important to offer this support with these
16 dollars at this time to make that happen, and I would also note for colleagues, since we
17 went through the council grants specific to our Montgomery Cares project and on a few of
18 the votes, I had a--a different vote than both my esteemed colleagues, and I just wanted
19 to make it clear for those that are in the audience as well as my colleagues, that, you
20 know, my choices around funding have been very much focused on direct services. I have
21 been hesitant with expansion request and even... I guess I'd call it health promotion
22 request. I really tried to focus on direct services, and one thing I would note, the Mary
23 Center request for the \$50,000, just to pull that out as an example. One of the reasons
24 that I had supported the funding of that request is because it is my understanding from
25 some of the work that I've done through my office on reproductive health issues that more
26 and more, when folks are showing up looking for comprehensive services, one of the
27 presentations that's more visible is a need for screening and treatment around un--
28 untreated, undiagnosed mental health needs, and so this is more and more a
29 phenomenon that's occurring in women's health programming, and so I--I just want to
30 make it clear where I was coming from and why I had supported funding that particular
31 amount. But again, these are very hard times and difficult choices to be made, so I
32 respect the fact that my opinion at that moment in time was a minority opinion, but I hope
33 as we walk into the future and when money is available that we're able to put more money
34 in this--in this category, because I see it as really being critical, especially for uninsured,
35 poor women in the county.

36
37 COUNCIL PRESIDENT ANDREWS:

38 OK. Thank you, Councilmember Trachtenberg.

39
40 COUNCILMEMBER LEVENTHAL:

41 So that concludes the committee's discussion on clinics and the Montgomery Cares
42 program. Moving now to the Hepatitis B/sexually transmitted diseases and HIV screening



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1 and treatment and tuberculosis. This is a hot topic. I know councilmembers have been
2 hearing a lot about how we proposed to restore access to--for low-income patients with
3 sexually transmitted diseases and with tuberculosis. The committee discussed the
4 reduction of a community health nurse in the immunization program and the state
5 reduction of 161,000 in the Hepatitis B immunization action plan grant, and we were
6 concerned that 337 people were turned away each month over the last--between March
7 2008 and February 2009--from STD and HIV services. We also understood that there
8 were between 32 and 77 people per month placed on a waiting list for treatment for latent
9 tuberculosis infections. So the committee wants to ensure, of course, that we don't have a
10 public health emergency with spread of disease that-- disease that is treatable, but where
11 you have patients who don't have health insurance and don't have access to their own
12 doctor, and so...we were told that \$250,000 would be needed to address the waiting list
13 for sexually transmitted diseases and HIV and \$225,000 would be needed to address the
14 tuberculosis wait list. The committee's recommendation was that these 2 items be placed
15 on the reconciliation list and that partial savings--I mean, in order to pay for those costs,
16 partially, that we would reduce across the board by 10% the minority health initiatives by
17 \$381,760. We've been in close--I personally have been in close contact with the
18 department, and the committee has not met again. So, we now understand from Director
19 Ahluwalia that she believes that the tuberculosis treatment is not--we're not placing the
20 public at risk for a spread of tuberculosis. I'm gonna let her explain that in a moment. She
21 also has come back to me, and we will now discuss it in full council--the committee has
22 not had the chance to address this in detail--that we can reduce the cost and yet still meet
23 the need for treating patients with sexually transmitted diseases through the addition of a
24 nurse practitioner at a cost of \$100,000. So the cost that we believed would be \$475,000
25 for both to reduce the spread of both STDs and tuberculosis, we now think--and again, I'm
26 gonna let Director Ahluwalia explain--that the urgency on the tuberculosis program is not
27 as great, and that a significant portion of the need in the STD program can be met with
28 just \$100,000 addition to the budget for a new nurse practitioner. And so based on this
29 information from Director Ahluwalia, which I'll let her explain, I'm now going to propose
30 that we not reduce the minority health initiatives. I think that we could--I hope-- find the
31 resources to fund the nurse practitioner for STDs through our reconciliation list process.
32 So--so, at this point, my recommendation would be that we not reduce the minority health
33 initiatives, and I'll let Uma explain, and then I'll make the motion again to see if it's
34 seconded and see what the will of the council is.

35
36 **UMA AHLUWALIA:**

37 Thank you, Mr. Leventhal. Are we done? With regards to tuberculosis, what was
38 happening with--we've--we've carried a pretty high vacancy rate in the program for a
39 while, partly because of the freezes and the RIFs that happened last year has really
40 affected losing long-term capacity and doing--as I understand it, tuberculosis readings are
41 very, very skilled. It's a very--highly skilled competency, and so it takes a while even for
42 new staff to build capacity. For a period of time, what we did was we were not taking in

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1 new intakes of people who had a positive skin test but only those individuals who had a
2 positive chest X-ray. Which is at the point at which they would be the most--or begin to be
3 infectious. And so we were treating those people, but not the folks who were presenting
4 with the positive skin tests, where you have a lot of false positives. Anybody who comes
5 from a developing country where they get a tuberculosis BCG infection as an infant will
6 show up as a positive skin test. Doesn't mean that they're necessarily infectious. So that
7 was the--that was sort of the decision that we made based on the resources. We have
8 hired up all the staff in the TB program and we expect that, everything else remaining
9 equal, which is no more losses in the program, though we will be able to catch up and
10 reopen that intake somewhere in late fall, early winter, all things being equal, that we
11 would have built up a capacity. So, that--that was sort of our response on that. With
12 regards to hepatitis, one of the things--the state has recognized with the measles outbreak
13 and then the more recent outbreak of the--the flu, that there is actually a greater need for
14 them to focus on immunization in Montgomery County given our minority population. And
15 so we're engaged in discussions with the state to see if they will increase some grant
16 money to the county, even if it is that we have to compete for it. That might be a venue for
17 us in the near future. With regards to STD, it is true--we're turning about 330 people a
18 month--a month, so that--that is a need that I'm gonna tell you exists in the county, but it is
19 a historical underfunding. It's not the result of any shortfall that was created in this current
20 budget. So while the creation a nurse upcounty, a nurse practitioner upcounty will not
21 eliminate the entire turnaway, it will significantly help reduce it, and I think it will make
22 progress towards the goal that we have set for ourselves of making some. So given--given
23 the budgetary situation, we were trying to be more modest in terms of what we could offer,
24 and so that's sort of where the conversation lays. When-- when we approached Mr.
25 Leventhal, we weighed our proposal within the department, but he is now offering to put
26 this on the reconciliation list, so let's talk. Thank you.

27
28 COUNCILMEMBER LEVENTHAL:

29 Well, specifically, you're proposing to offset it from the minority health initiatives.

30
31 UMA AHLUWALIA:

32 We were going to take it from the 3 minority health initiatives and then put some money
33 from the department, yes.

34
35 COUNCILMEMBER LEVENTHAL:

36 So, my preference would be, again, just to restate the motion now before the council, that
37 we overturn the committee's recommendation. We understand that the urgency on
38 tuberculosis is not as great as the committee had understood, and we appreciate the
39 director's proposal to expand access for low-income clients with sexually transmitted
40 diseases. And so based on that, the motion, which has been seconded by Ms. Floreen, is
41 to overturn the committee's recommendation. We would place \$100,000 on the
42 reconciliation list to add a nurse practitioner in Germantown. We would not make any



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1 reduction below the county executive's recommendation on the minority health initiative.
2 So that's before the council now.

3
4 COUNCIL PRESIDENT ANDREWS:
5 OK. Very good. Councilmember Ervin.

6
7 COUNCILMEMBER ERVIN:
8 Thank you very much. Since the council sits at the Board of Health, I can't think of any
9 more important job that we do here in this county than to make sure that our citizens are
10 safe and healthy. It seems to me that when I look through this budget and I see some of
11 the things that we're funding that have nothing to do with outcomes regarding the public
12 health, I am just really shocked that we would take this approach when there are
13 hundreds of people being turned away who need treatment for sexually transmitted
14 diseases, especially HIV. And so I'm just--I would-- I want to support the chair on his--on
15 his motion, but I believe that we should fund it, fully fund it, and not put it on the
16 reconciliation list. I think we should fully fund all the health initiatives and I think that we
17 should do all that we can to make sure we zero out those individuals who are on those
18 waiting lists, because I do believe it is an issue of the public health.

19
20 COUNCIL PRESIDENT ANDREWS:
21 Thank you, Councilmember Ervin. Councilmember Trachtenberg.

22
23 COUNCILMEMBER TRACHTENBERG:
24 Well, I'm going to make remarks, and I hope I can keep them brief. I actually had raised
25 the issue around the STD/HIV needs because it was something that we had talked about
26 last year and I was alarmed at the number, and I knew of the number before the public
27 discussion. As many of you might know, I had over the course of the last year convened a
28 working group, and I'm about to publicly announce it, and one of that things that we had
29 begun to do in the last 6 months was to evaluate some of the trending around
30 reproductive health, and another exercise, again, that I've referred to publicly is the use of
31 some prevention indicators to evaluate the function and utilization of hospitals, specifically
32 around preventable conditions. And one of the things that we were able to come up with
33 about a month ago was the fact that there's been a rapid increase for women to be
34 admitted to county hospitals for urinary tract infections, and last week, I was able to see
35 plotted for me on a table that we are also seeing increases in county hospitals for women
36 around secondary infection, again, after an untreated STD has occurred. So, in other
37 words, there's clearly a trend here, and I--one of the statistics that I have been using in the
38 last 6 months is the fact that according to the Guttmacher Institute--you can't really get
39 more reliable about statistics on reproductive health than to go to them. According to the
40 latest numbers, about 48,000 women in Montgomery County between the ages of 16 and
41 43 are eligible for publicly funded reproductive health services. Currently, we have about 3
42 publicly funded clinics. Now, there are other opportunities beyond that, but those are the



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1 ones that are provided with federal dollars. And what we do know from the latest
2 Guttmacher numbers is about 20% of those that are eligible for services are actually
3 receiving them. So, I want to be very clear about the fact that it's my opinion that we do
4 have a crisis, so I would concur very strongly with the remarks made by Councilmember
5 Ervin that, you know, we cannot be turning almost 400 people away a month from our
6 Dennis Avenue program. And it was for that reason that in committee, going back a few
7 weeks ago, I had raised the issue of funding as the department, you know, aggressively
8 came back to me with a \$250,000 price tag for perhaps the creation of a program
9 upcounty that would at least start to address some of the unmet needs. During the
10 committee discussion, I asked for 2 amounts to be placed on the reconciliation list. One
11 for 100 and one for 150. Again, being pragmatic that we might not be able to go do the
12 250, but at least we needed to start addressing some of the need. I would hope in the
13 future that a blueprint for comprehensive reproductive services for women in particular,
14 that they be-- that we come up with a plan, a long-range plan, because I-- I think, again,
15 there are so many layers to this that probably with even more inspection we're gonna see
16 some other trends that are gonna disturb us as well, and one of those, I suspect, is the
17 unmet reproductive health needs of young women under the age of 21, where, I
18 understand, there are significant needs. And these are the folks that typically are not
19 gonna come back that readily if they're not seen right away. So, you know, what I'm gonna
20 remind my colleagues of is that there's already one installment of \$100,000 on the
21 reconciliation list. As I said, I split the--I asked that the 250 be split. So, with that in mind, if
22 we are about to change the recommendation of the HHS Committee, which I fully support,
23 because again, what the committee was trying to be able to accomplish, and I know that
24 the chair stated this, we were trying to find a way to fund what we considered to be a
25 critical core public health function. So what I--I'm gonna suggest is that, you know, I would
26 agree with the recommendation provided by committee chair Leventhal, and I would also
27 ask that \$100,000 remain on the reconciliation list. I'm open to the other 150 being
28 removed, but I also am pragmatic, and I believe that it will take a lot more than one nurse
29 practitioner to probably deal with the need and probably the \$250,000 is a more accurate
30 assessment of what really needs to happen. As far as the tuberculosis and Hepatitis B go,
31 I very much appreciate the work, the research that--that was done the past week or so, so
32 that we have a full understanding that, indeed, the necessary services can be provided.
33 Again, you know, this is an area that is one of those core functions, and quite frankly, it is
34 a real consideration with the growing immigrant community that we have, because one of
35 the largest threats to foreign-born citizens, residents is--is actually tuberculosis, and
36 Hepatitis B is certainly very prevalent in the Asian community, which is only growing. I
37 think it's something like 10%-15% actually test positive. So, no doubt we have to monitor
38 what we invest in both those areas. But my statement would speak in support of the
39 motion made by Councilmember Leventhal, and I am going to suggest that perhaps we
40 amend it, allowing the \$100,000 to stand that's already placed in the reconciliation list.

41



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1 COUNCIL PRESIDENT ANDREWS:

2 Is that acceptable?

3
4 COUNCILMEMBER LEVENTHAL:

5 Yeah, the motion calls for \$100,000 for a nurse practitioner in Germantown. That was the
6 motion.

7
8 COUNCIL PRESIDENT ANDREWS:

9 Mm-hmm. OK. Very good. All right. Any other comment? Councilmember Elrich?

10
11 COUNCILMEMBER ELRICH:

12 Listening to this discussion, I'm thinking back to our earlier discussion about removing.
13 What I think we removed is \$55,000 from the Food and Friends. I do agree that this is a
14 high enough priority that I could look at the liberated money from Food and Friends as
15 simply we're reducing that and putting it over here, and then put only 45 on the
16 reconciliation list. I mean, I would prefer to make this, as Valerie said, something which
17 absolutely happens, and it seems to me that if we found 55, we could just say we wanted
18 to-- to fund this program. And I would happily fund this with the 55, then see if we could
19 find another 45 in the rest of this.

20
21 COUNCILMEMBER LEVENTHAL:

22 I'd consider that a friendly amendment.

23
24 COUNCILMEMBER ELRICH:

25 My other question was--

26
27 COUNCILMEMBER LEVENTHAL:

28 Savings have been put on the reconciliation list. You're just directing those savings to a
29 particular purpose. I--I--

30
31 COUNCILMEMBER ELRICH:

32 As if you had said, "We're increasing this and decreasing this and the net was the same."

33
34 COUNCILMEMBER TRACHTENBERG:

35 Yeah. 250 is in.

36
37 COUNCILMEMBER ELRICH:

38 I don't want to reconcile--I don't-- I mean, I don't want--I don't want 2 piles of money
39 reconciled. I want this--I want it as if the committee had said, "We're taking this other
40 source down to zero."



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1 COUNCILMEMBER LEVENTHAL:

2 I mean, I think we can say--we can certainly send a clear signal to our colleague the
3 council president when he's assembling his final recommendations on the reconciliation
4 list as part of this motion that it is the council's hope that given the 55,000 in reductions
5 were recommended for this one provider, that we place a very high priority on--on putting
6 those 55,000 and additional 45,000 towards this reconciliation list item, which is a priority
7 for the council. That--that--yeah. So we're expression the sense of the council along with
8 this motion.

10 COUNCIL PRESIDENT ANDREWS:

11 And I agree with it. Yeah.

13 COUNCILMEMBER ELRICH:

14 My other question was, I was looking at the--the whole issue of the STDs and the
15 treatment, and I'm looking at the family planning, which is \$349,000 at the back of it. Why-
16 -isn't there an overlap between these? Isn't there a way of integrating these into, you
17 know, a singular function? Is there a reason why it's...

19 COUNCILMEMBER LEVENTHAL:

20 Why don't we let the department answer that?

22 COUNCILMEMBER ELRICH:

23 Yeah. It seems like they-- there's an intersection here.

25 ULDER TILLMAN:

26 Yes. Councilmember Elrich. Dr. Tillman for chief of Public Health Services. There
27 obviously should be an overlap, but the funding streams, the grants, are separate and
28 different, and they have their required deliverables. And we have had discussions with the
29 state Department of Health and Mental Hygiene, actually, for several years that there
30 should be greater emphasis placed on the preventive women's reproductive health and
31 family planning. It comes out of a different unit than the disease control for sexually
32 transmitted disease. So, we're not there, unfortunately.

34 COUNCILMEMBER ELRICH:

35 This is something you're dependent on the state to rectify?

37 ULDER TILLMAN:

38 It's independent--oh, you mean in terms of what county council and the county itself can
39 do?

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1 COUNCILMEMBER ELRICH:

2 Could--do you have the ability to rationalize the delivery of health care so that they're not
3 sitting in 2 different places?
4

5 ULDER TILLMAN:

6 We can integrate the services, yes, and we've been moving towards that, and in terms of
7 the description that was given of the reproductive health, I think that does demonstrate
8 that, that we've really been building that to go in that direction. But in terms of the funding
9 that is there, that's--that's the challenge, and you're looking at areas which have been
10 short-shrifted in terms of monies outside of county.
11

12 COUNCILMEMBER ELRICH:

13 OK.
14

15 COUNCIL PRESIDENT ANDREWS:

16 Thank you, Councilmember Elrich. Councilmember Trachtenberg.
17

18 COUNCILMEMBER TRACHTENBERG:

19 I actually didn't have my light on, Council President.
20

21 COUNCIL PRESIDENT ANDREWS:

22 OK. Thank you. All right.
23

24 COUNCILMEMBER LEVENTHAL:

25 OK. So the motion is before the council.
26

27 COUNCIL PRESIDENT ANDREWS:

28 Motion before the council. All those in favor of the motion, please raise your hand. That is
29 unanimous.
30

31 COUNCILMEMBER LEVENTHAL:

32 Great. And I believe that concludes public health services, Linda. Is there anything I--we
33 still need to go over on public health? I see a couple other items really quickly. I can go
34 through them here on pages-- on page 3, the committee recommended placing \$30,000
35 on the reconciliation list for smoking prevention programs for at-risk youth and \$15,000 for
36 the young moms anti-smoking program. There is a gigantic reduction in cigarette
37 restitutions from-- cigarette restitution funds from the state, and the committee felt that
38 these 2 programs were particularly important and that the county ought to go ahead and
39 pick up the costs for them. The council president had also expressed strong support for
40 these 2 items. And I do believe that concludes everything on the public health committee.
41



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1 LINDA MCMILLAN:

2 And I would just note that you had a discussion of the maternity partnership program.

3
4 COUNCILMEMBER LEVENTHAL:

5 Oh, yes. I meant to go over maternity partnerships. So, just very quickly, we concurred
6 with the executive's recommendation for savings in the maternity partnership program. We
7 concurred with increasing the required co-pay by \$100 for participants in this program to a
8 total of \$450. However, we understand that the program will not turn any participants
9 away if they are unable to pay the full co-pay, and that is the last item in public health.

10
11 COUNCIL PRESIDENT ANDREWS:

12 OK.

13
14 COUNCILMEMBER LEVENTHAL:

15 Right? Any other questions or comments on public health?

16
17 COUNCIL PRESIDENT ANDREWS:

18 Don't see any other questions on public health.

19
20 COUNCILMEMBER LEVENTHAL:

21 OK, and the very last service branch-- it's not really a service branch, office--within the
22 department is the Office of Special Needs Housing, most of whose programs we've
23 already covered in our Housing First discussion last week. There are a few other items
24 that are listed on page 15. We recommended--we went along with the increase in daytime
25 hours at the Gude Men's Shelter. We agree to provide matching funds for the HUD Home
26 First III and Samaritan programs. We are supporting Bethesda Cares on eviction
27 prevention and utility shut-off prevention. With respect to energy assistance, the
28 executive's budget assumes there will be 7,000 households receiving help in the energy
29 assistance program. We're gonna continue to monitor that. So those are the additional
30 items in special needs housing above the Housing First discussion. Questions or
31 comments on any of those items?

32
33 COUNCIL PRESIDENT ANDREWS:

34 Don't see any.

35
36 COUNCILMEMBER LEVENTHAL:

37 And, Linda, correct me if I'm wrong, but I believe we have now concluded the Department
38 of Health and Human Services.

39
40 LINDA McMILLAN:

41 I think you have.



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1 COUNCILMEMBER LEVENTHAL:

2 All right.

4 COUNCIL PRESIDENT ANDREWS:

5 Very good. Well, I want to thank Chair Leventhal for once again demonstrating his
6 mastery of the health and human services budget and his colleagues on the committee,
7 Councilmember Trachtenberg and Council Vice President, for their hard work over quite a
8 few meetings, and again, our staff does an excellent job...

10 COUNCILMEMBER LEVENTHAL:

11 Councilmember Ervin has a motion.

13 COUNCIL PRESIDENT ANDREWS:

14 Very good. Councilmember Ervin.

16 COUNCILMEMBER ERVIN:

17 Yes. I walked in a little late and I missed the conversation about Silver Spring Team for
18 Children and Families contract, and my question first is what will they do without the
19 \$10,000 that they're requesting for rent for this program, because without that rental
20 assistance, that program will not be able to function. So, I'm curious about where we're
21 gonna go, and then I'm gonna offer a motion.

23 UMA AHLUWALIA:

24 It's my understanding that this particular cut was offered because of historical
25 underperformance by the vendor on this contract, so they have served a lot fewer children
26 than in their contract documents. So this was a--a cut that was actually targeted for
27 greater efficiency, so--

29 COUNCILMEMBER ERVIN:

30 But you do understand by cutting this \$10,000 means that program is gonna shut its doors
31 because they cannot function and run that program without rental assistance, so if we're
32 cutting this \$10,000, we're basically telling them, "Shut your doors and go away." For my
33 colleagues, I'm referring to page 24 in the packet. Item number 2, rent and utilities for
34 ESOL sites, adult ESOL classes and Silver Spring Team for Children and Families. Our
35 information is that the Silver Spring Team, who came to see me, said that other non-
36 profits are receiving this rental subsidy. They did not receive it. Without that rental
37 subsidy, they will have to shut their doors.

39 UNIDENTIFIED SPEAKER:

40 The understanding is that because their attendance has been reduced over the years so
41 the rental subsidies was-- the classroom rental would be reduced so that it won't be-- they
42 won't be serving as many students. But this is also the-- one of the recommendation from

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1 the committee was to remove the remainder of the money to MCAEL. That was actually
2 the issue more than the reduction on the rental of the--of the rental provided for the
3 classes.

4
5 COUNCILMEMBER ERVIN:

6 So is anybody here from MCAEL? Is that \$10,000 under MCAEL going to assure some
7 assistance to this...

8
9 COUNCILMEMBER TRACHTENBERG:

10 There is no \$10,000.

11
12 COUNCILMEMBER ERVIN:

13 OK, so the--so I'm gonna make a motion, and I hope my colleagues will-- will support me
14 on this. I move to restore \$10,000 for the Silver Spring Team for Children and Families
15 contract on the reconciliation list. Is that motion--

16
17 LINDA McMILLAN:

18 And then that would raise the total amount--I just want to be clear--that would raise the
19 total amount of funding to \$33,000 for that contract, and then, as a separate issue is
20 whether the money would be provided through MCAEL or through the department, but the
21 \$10,000 plus the 23 would retain the full funding that's in the current budget. Is that
22 correct?

23
24 UNKNOWN SPEAKER:

25 That would be right.

26
27 LINDA McMILLAN:

28 Right.

29
30 COUNCILMEMBER ERVIN:

31 I would hope to get a second on this. Otherwise, we're gonna see this non-profit shut its
32 doors.

33
34 COUNCILMEMBER LEVENTHAL:

35 I'll second it for purposes of putting it on the reconciliation list. Obviously, we don't--we
36 don't know what'll survive.

37
38 COUNCILMEMBER ERVIN:

39 Right. That's all I wanted.



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1 COUNCIL PRESIDENT ANDREWS:

2 OK. It's moved and seconded. Any discussion? All in favor of putting it on the--amount of
3 \$10,000. On the reconciliation list. Please raise your hand. That is unanimous. Put it on
4 the reconciliation list. OK. Any other--you're welcome. Any other items regarding the
5 Health and Human Services budget? And not seeing any. Thank you very much and
6 appreciate all the hard work that everyone is doing in the department, one of our largest
7 and broadest in terms of its scope. Couple announcements here. We're now going to
8 move on to the non-departmental account for the Arts and Humanities Council, and we
9 are going to defer items 3 and 4 until tomorrow afternoon. Those are the community
10 grants. Then we're gonna go on to General Services, fleet management, the NDA on the
11 leases, and then if we--we may get to start the MCPS portion before lunch, but we may
12 not, so we'll just see how we're going. We have to break at 12:15 for a recess. There are a
13 number of other things going on between the morning and afternoon sessions. So that's
14 just housekeeping. We're now going to go on to item 2, the NDA and the Arts and
15 Humanities Council.

16
17 COUNCILMEMBER LEVENTHAL:

18 Very good. We'll try to get through this expeditiously. We had a-- first of all, I want to
19 welcome our dynamic new director of the Arts and Humanities Council of Montgomery
20 County--Suzan Jenkins. This is your first time through this budget with us.

21
22 SUZAN JENKINS:

23 Yes, sir.

24
25 COUNCILMEMBER LEVENTHAL:

26 We enjoy working with you. Glad that you're on board. Do you want to--do you want to
27 make any opening statements since you're here before the council for the first time?

28
29 SUZAN JENKINS:

30 I hadn't prepared any, but I'd say that it's been a very enlightening experience working
31 with the council through this session. It's been a very, very difficult budget time, and we
32 have appreciated the opportunity to work very hard to make certain that we're meeting the
33 expectations of both our constituents, the executive and the council.

34
35 COUNCILMEMBER LEVENTHAL:

36 OK. All right. So the--the committee recommended the amount requested by the county
37 executive-- \$3,085,390, and we had a vigorous discussion of some of the earmarks that
38 were recommended by the county executive. We--we recognize that the Arts and
39 Humanities Council of Montgomery County currently does not provide grants to
40 organizations headquartered outside Montgomery County, and given the longstanding
41 agreement between the county and the American Film Institute, there was no
42 disagreement that the American Film Institute would continue to be funded by the county



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1 through the Arts and Humanities Non-Discretionary Account but not by the Arts and
2 Humanities Council. For all of the other organizations, however, it is the committee's view,
3 and it has been for some time, that we ought to comply with the law, and the law says that
4 the Arts and Humanities Council of Montgomery County is the arts and humanities
5 organization for Montgomery County. That's in the statute that creates the Arts and
6 Humanities Council. Nevertheless, the county executive consistently, not just this county
7 executive but his predecessors, have sought to steer funds to specific organizations when
8 they request them, regardless of whether that is the recommendation of the Arts and
9 Humanities Council. That's a problem for a number of reasons. Primary among them is
10 that it requires arts organizations to spend an undue amount of time lobbying, and it sends
11 a signal to arts and humanities organizations that the way you get funded is by developing
12 relationships with politicians, by asking for special funding from the county executive,
13 asking for special funding from the county council. And as I said, the law states that it is
14 the Arts and Humanities Council of Montgomery County that is our arts and humanities
15 organization, and so what we're seeking to do, what the committee has been seeking to
16 do for a number of years, is to strengthen the role of peer review, merit review, rewarding
17 excellence in the arts and humanities, and taking the funding for the arts and humanities
18 out of a political process. We're not there yet. We're not even as far along as I hoped we
19 would be by now. But we had that conversation, and in fact, the chairman voted against
20 some of the earmarks in the county executive's budget, but a majority of the committee
21 went along with them. So just--now, in addition, we had a--a discussion about the funding
22 formula for operating support that the Arts and Humanities Council had proposed. Their
23 initial proposal--their initial proposal created some significant discrepancies based on the
24 cash spending of the organizations in '09, and they've come back to us with a revised
25 proposal. So there's a total recommendation--\$5,069,380 for the Arts and Humanities
26 Council NDA, and...of this amount, as I mentioned, \$3,963,130 would go to the Arts and
27 Humanities Council with other earmarks provided to other organizations. Let us ask Suzan
28 Jenkins briefly to describe-- we're on page 6 of the memo now--her revised proposal,
29 which did not come before the committee for operating support, briefly.

30
31 SUZAN JENKINS:

32 As we mentioned in our memo of May 4 based on the request of the committee, we went
33 back and examined several options to redistribute the funds, concluding that by holding
34 the variation to no more or less than approximately 11% from each organization's FY09
35 grant, grants can be awarded within the parameters of the county executive's
36 recommended budget and will protect grantees from extreme fluctuation in grants awards.
37 We looked at several options to be able to come to that conclusion. We looked at making
38 organizations who did not receive a grant in '09 temporarily ineligible. However, the
39 process was already underway, and we determined that that was not a good option. We
40 also examined an across-the-board cut for all organizations of approximately 6%, but that
41 would mean that some organizations would suffer a cut even if the standard formula
42 allowed for an increase, so that was also rejected. We also examined cutting the

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1 percentage increase or decrease that would occur had the standard formula been used in
2 half, but that option was also rejected because that would mean that some organizations
3 would be reduced by as much as 17%. And, finally, we came to the conclusion that by
4 holding organizations to no more than 11%, grants could be awarded within the
5 recommended budget. We then had a webinar with all of the organizations that we serve,
6 and we allowed them to understand our methodology and the conclusion that was met
7 with wide acclaim. And so our recommendation, then, is that we go with this new
8 percentage of 11--that they be held with 11%. We think that that'll work, and we won't
9 need any additional funds to do that.

10
11 COUNCILMEMBER LEVENTHAL:

12 OK, well, thank you very much. This was the Arts and Humanities Council's response to
13 questions initiated by the committee, but the committee has not had the opportunity to
14 consider the response because of the timeframe. Personally, I'm satisfied with the work
15 that's been done here and I would move that we approve this new formula proposed by
16 the Arts and Humanities Council.

17
18 COUNCIL VICE PRESIDENT BERLINER:

19 And I'll second it.

20
21 COUNCIL PRESIDENT ANDREWS:

22 OK. Moved by Councilmember Leventhal, seconded by Council Vice President Berliner.
23 On that, any comments? Questions? Council Vice President Berliner.

24
25 COUNCIL VICE PRESIDENT BERLINER:

26 I just want to commend Ms. Jenkins for her work in this regard for coming up with this new
27 allocation as was alluded to under the formula that was presented to the committee. Some
28 organizations saw their funding cut, I believe something on the order of--34% was the
29 number that I believe. At least one organization was going to see its budget cut. And so it
30 did raise all of the issues which you have now addressed, and I'm very pleased that you
31 were able to get the buy-in of the community that you represent as well. So I think the
32 process ended up being a good one all around, and there are winners and losers in this
33 kind of situation, but this seems to be a far more equitable way to share the pain...

34
35 SUZAN JENKINS:

36 Thank you, Councilman. We have an incredible staff at the council and they work very
37 hard to make this happen.

38
39 COUNCIL PRESIDENT ANDREWS:

40 Thank you, Council Vice President. OK.

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1 COUNCILMEMBER LEVENTHAL:

2 OK, continuing through the memo here, the committee agreed with the 5% reduction in
3 funding for grants to small and mid-size organizations. At the top of page 8, continuing on
4 page 8, the committee agreed with the executive's recommendation of \$10,000 for public
5 arts trust maintenance, for Arts and Humanities Council administration, \$374,810. I don't
6 want to belabor this, but I want to tell you the--we get a great bargain with this Arts and
7 Humanities Council staff. They're working at salaries and benefits substantially below, and
8 in some cases without benefits, substantially below counterpart organizations in other
9 jurisdictions. So we're not going to--in prior years, we have acted to improve the
10 compensation and benefits. We're still way below counterpart organizations. We're not
11 gonna deal with that this year, but I just want to thank the AHC staff. They do a lot with
12 little.

13
14 SUZAN JENKINS:

15 Thank you.

16
17 COUNCIL PRESIDENT ANDREWS:

18 One thing. Chairman Leventhal, we didn't actually take a vote on the motion, so--

19
20 COUNCILMEMBER LEVENTHAL:

21 Oh, that's right.

22
23 COUNCIL PRESIDENT ANDREWS:

24 Let's go ahead and do that.

25
26 COUNCILMEMBER LEVENTHAL:

27 So with respect to approving the formula for operating support--Mike, stick around. We
28 need your vote.

29
30 COUNCIL PRESIDENT ANDREWS:

31 ...we're just about to take a vote on the motion. If we just have all those in favor, please
32 raise your hand. All right. And that is Councilmember Elrich, Councilmember Floreen,
33 myself, Council Vice President Berliner, Councilmember Knapp, Councilmember Ervin,
34 Councilmember Leventhal.

35
36 COUNCILMEMBER LEVENTHAL:

37 Thank you very much. Regarding the earmarked grants, there was no disagreement on
38 the committee, as I mentioned earlier, with the American Film Institute, which is special
39 circumstance, headquarters in L.A., and vital part of Silver Spring revitalization and an
40 excellent movie theater. \$506,250 unanimously recommended by the HHS Committee for-

41 -



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1 COUNCIL PRESIDENT ANDREWS:

2 Hold on just a second. I wanted to note, as I have in the past, I'm gonna recuse myself on
3 this item because my wife has done some work for AFI in the past.

4
5 COUNCILMEMBER LEVENTHAL:

6 Noted. OK. With respect to the Heritage Tourism Alliance, \$75,000 was recommended by
7 the executive. The committee concurred, but we would like to evaluate transferring that
8 program to the Department of Economic Development. With respect to Imagination Stage,
9 here's where we get into the earmarks. We really hope that in future, accommodation can
10 be made where the Arts and Humanities Council is working directly with Imagination
11 Stage, recommending funding that meets its needs, but for now, and because of a multi-
12 year understanding between the county and Imagination Stage, \$400,000 was approved
13 by the committee and recommended by the executive. With respect to Pyramid Atlantic,
14 Councilmembers Berliner and Trachtenberg supported the executive's recommendation
15 for a \$50,000 earmark for its facility... What's the \$50,000 for?

16
17 UNKNOWN SPEAKER:

18 [Indistinct]

19
20 COUNCILMEMBER LEVENTHAL:

21 To help pay the mortgage. Right. OK. Councilmember Leventhal voted in opposition.
22 Councilmember Leventhal would have preferred to give the \$50,000 to the Arts and
23 Humanities Council and place Pyramid Atlantic in a basket along with other organizations
24 that need help paying their mortgage. Roundhouse Theater, \$75,000, same story. The
25 executive recommended an earmark. Mr. Berliner and Mrs. Trachtenberg supported the
26 executive's recommendation. Councilmember Leventhal would have preferred to give the
27 \$75,000 to the Arts and Humanities Council to review the circumstances of this request
28 and determine how it should be handled.

29
30 COUNCIL PRESIDENT ANDREWS:

31 We have a couple lights here. Councilmember Floreen. Councilmember Knapp, then
32 Councilmember Floreen.

33
34 COUNCILMEMBER KNAPP:

35 Thank you, Mr. President. I realize I tread into this with some trepidation, but how...I don't-
36 -I don't know. I'm a little stuck, because we actually have done fairly well in getting all of
37 these things to the Arts and Humanities Council, so I guess-- and Pyramid Atlantic is
38 good. Roundhouse is good. We like all of our arts organizations. I guess the question is,
39 how did these end up on the executive's list in the first place?

40
41 COUNCILMEMBER LEVENTHAL:

42 Because they asked for it.



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1 COUNCILMEMBER KNAPP:

2 So did no other arts organizations ask?

4 SUZAN JENKINS:

5 No. They did not.

7 COUNCILMEMBER KNAPP:

8 So, all you have to do is ask the executive, apparently, and that works?

10 COUNCILMEMBER LEVENTHAL:

11 It worked for them.

13 COUNCILMEMBER KNAPP:

14 OK.

16 COUNCILMEMBER LEVENTHAL:

17 This is precisely my concern about earmarking. I mean, every time we do it, we send a
18 signal to other organizations that that's the way you get funded, and it unravels the
19 strength of the Arts and Humanities Council as our primary spokesperson and advocacy
20 group and decisionmaker in the arts and humanities. That's precisely the concern. So, I--I
21 am encouraged by conversations I've had with the executive's staff, but, you know, the
22 executive can speak for himself. I mean, my hope is that the executive's staff means it
23 when they say they want to work with me to eliminate earmarks in FY2011, and we'll
24 believe it when we see it.

26 SUZAN JENKINS:

27 And, Councilman Knapp, if I might add, we've already begun conversations with the
28 executive so that this would not happen in future. I've given my commitment that this is not
29 going to happen in future, and I told the organizations that we're working with that I would
30 support them based on the requests that they had submitted to the executive, but I would
31 not--I would not support them in the future.

33 COUNCILMEMBER LEVENTHAL:

34 OK. All right. Well... I mean, just to be clear, I'm not making a motion here. I don't think it's
35 going to be helpful to the council to go through a lengthy debate on these individual...

37 COUNCILMEMBER KNAPP:

38 It's a delicate balance. I understand, having served on the board of one arts organization,
39 the difficulties that you have as it relates to facilities and infrastructure and all those types
40 of things. I'm just trying to get a sense of are these different or significant in ways that
41 we're not aware? It doesn't appear that they are, just appears that they asked and nobody
42 else did yet this year.



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1 COUNCILMEMBER LEVENTHAL:

2 Yeah, Pyramid Atlantic needs help with its mortgage and Roundhouse needs help with its
3 utilities. It stands to reason that other organizations also need help with their mortgage
4 and their utilities, but again, I'm not making a motion before the council now. I've made my
5 point and I--I don't--I don't think it--I think it--it sort of undercuts my point if we now have a
6 big political debate on county council about whether or not to fund the earmarks. I mean,
7 they're--they're in the budget. It is the committee recommendation. I voted against the
8 committee recommendation, but I'm not bringing it now. I'm not making a motion. What
9 other councilmembers do is up to them.

10
11 COUNCIL PRESIDENT ANDREWS:

12 All right. Thank you. What I'm hearing is the goal is to move out of this approach soon.
13 OK.

14
15 SUZAN JENKINS:

16 It is my goal.

17
18 COUNCIL PRESIDENT ANDREWS:

19 All right. Good. All right. Councilmember Floreen and then Council Vice President
20 Berliner.

21
22 COUNCILMEMBER FLOREEN:

23 Thank you very much, Mr. President. Well, I agree, again, with the chair of the committee
24 about this policy issue, and regrettably, it's not the call of the Arts and Humanities Council,
25 it's the call of the county executive in this regard. I have to say I agree with--it's been a
26 multiple-year weaning process that we've been going through, and I really commend
27 Councilmember Leventhal for working through this and trying to get the parties to--to
28 appreciate that we need to do it this way. So I would recommend that we convey, in
29 whatever is the appropriate form, to the county executive that we will not entertain
30 earmarks that go around the rules for the Arts and Humanities Council. You know, I agree
31 that this is probably not the right time to bring the door down on it, given the fact that there
32 have been-- this has been under consideration, there are currently some expectations
33 here. But I do think this should be the last time. So if we could--I think there may be some
34 concurrence here. Certainly I think the committee chair has-- has tried very hard to
35 accommodate everybody's needs with the right kinds of questions and the right kind of
36 concerns. It sounds like the Arts and Humanities Council is definitely there. It's a question
37 of us conveying that to the parties, at least, or at least the arts community, period, and if
38 we can work together on that to be clear about that in the next budget session, perhaps
39 that's a way to address it, so that's one thing I would say. The second thing, with respect
40 to Pyramid Atlantic, and I love them all to death, they're wonderful people, there are a lot
41 of issues here. It's reflected in the packet, and it's also associated with the Silver Spring
42 Library issue. It's--I am concerned that-- I mean, I have--have talked to them about their



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1 space needs and made some suggestions. They seem to be settling in on the library. Is
2 that part now of the library space? Pyramid Atlantic? Do we know?

3
4 SUZAN JENKINS:

5 I served on a committee where the discussion about who would take over some of that
6 library space, and Pyramid, we did vote that Pyramid Atlantic would be strongly
7 considered for that space. However, after I served on the committee, I don't know what
8 transpired.

9
10 COUNCILMEMBER FLOREEN:

11 Well, I would simply say...

12
13 COUNCILMEMBER KNAPP:

14 Do you know, since you're also working with us on libraries, or you were. I guess you're
15 not anymore. Essie is now.

16
17 MINNA DAVIDSON:

18 No, I don't know the current status. I thought maybe the executive was still considering a
19 final decision.

20
21 COUNCILMEMBER LEVENTHAL:

22 OK. So we don't know the plans for Pyramid Atlantic right now.

23
24 COUNCILMEMBER FLOREEN:

25 You know, there's kind of just so much you can do, it seems to me, and I don't know if this
26 is paying off their mortgage or not. Is it? So we're gonna pay off their mortgage and then
27 give them more free space.

28
29 SUZAN JENKINGS:

30 It'll be several years before that space is available.

31
32 COUNCILMEMBER FLOREEN:

33 Yeah. Well, I would urge the committee when it takes this up--if it takes this up in the
34 future, to look at the exchanges here. We--we have really made it very possible for one
35 very fine arts organization to do pretty much everything it'd like to do, and I am concerned
36 about this. They made some choices, and a lot of the arts organizations have made some
37 choices over time that, you know, haven't been borne out by the economy. They're on this
38 list, frankly. And I--I'm a little concerned about where we're going with this.

39
40 COUNCIL PRESIDENT ANDREWS:

41 Yeah, Chair Leventhal.



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1 COUNCILMEMBER LEVENTHAL:

2 What I'd like to do, I guess, at this point--I--I really want to depoliticize this whole process.
3 That's been my goal. I don't think it bears a long morning's discussion of one \$50,000
4 grant, so--I--I sense that at least one of my colleagues is eager to jump to the defense of
5 Pyramid Atlantic. The committee recommendation is that we go ahead and fund this grant.
6 If-- if a councilmember wants to offer a motion to the contrary, then it would be in order to
7 have, you know, debate on a motion. But to--but if we're not in--if we're in disagreement
8 with the committee's recommendation, we should offer a motion to that effect. If we're not
9 in disagreement with the committee's recommendation, then we should just go along with
10 the committee's recommendation. I don't mean to--I didn't mean to--I was trying to make a
11 larger point about earmarking, not a lengthy discussion...

12
13 COUNCILMEMBER FLOREEN:

14 I--I agree, but this is the opportunity to just ask some questions, and I just asked when the
15 committee takes this up again, I don't know if it's in the context of the library or in the arts,
16 take a close look at-- at financial arrangements and how this is all--all working out. There
17 are a lot of precedent issues, there are a lot of choice issues that I think we need to be
18 attentive to, so that would just be my request for the committee.

19
20 COUNCILMEMBER LEVENTHAL:

21 I'll take Ms. Floreen's comments as support for my point of view on avoiding earmarks,
22 and I appreciate the support.

23
24 COUNCILMEMBER FLOREEN:

25 So true.

26
27 COUNCIL PRESIDENT ANDREWS:

28 Right. Thank you. And I appreciate the chair's point as well. Council Vice President
29 Berliner.

30
31 COUNCIL VICE PRESIDENT BERLINER:

32 And I appreciate the chair's decision not to force votes on these--on these matters. We
33 ought to just move on. I would observe that there are important distinctions between
34 Pyramid Atlantic and Roundhouse, and that Roundhouse raises a larger issue that I, too,
35 hope we will be able to address, which is the uniformity in which we address utility-related
36 issues in county-owned buildings, which also raised, I think, appropriately, the whole
37 question of whether or not we can save our non-profits money by having them be part of
38 the county's energy procurement portfolio, which I believe would result in a net savings.
39 So, both of these matters, I believe, should be addressed in the coming year and will allow
40 us to meet your goal of having this be a final transition year.



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1 COUNCIL PRESIDENT ANDREWS:

2 Thank you. Councilmember Elrich.

4 COUNCILMEMBER ELRICH:

5 It seems like the effort to depoliticize this is a little bit like Whack-a-Mole. It keeps popping
6 up and--I appreciate your comments on this and not going through the vote, but it did
7 trigger, like, something else that occurred to me. We were voting on the earlier budget in
8 HHS and we added 5 non-profits to the base budget. We just removed-- you know, made
9 something automatic that used to require a little bit more audit-- oversight. And I'm just
10 wondering whether is it good to continue to add things to the base and not retain the
11 ability to look at them objectively. Much as making things into earmarks here kind of
12 makes it-- moves things beyond our--the pale of review or the pale of review of the--of the
13 committee...

15 MINNA DAVIDSON:

16 The earmarks, though, don't become part of the base. They get taken out each year and
17 then the executive has to put them in again.

19 COUNCILMEMBER ELRICH:

20 They become--they become more automatic, and I guess my feeling is...

22 COUNCILMEMBER LEVENTHAL:

23 In HHS.

25 COUNCILMEMBER ELRICH:

26 Yes. Do we need less...

28 COUNCILMEMBER LEVENTHAL:

29 Not in the arts. These are one-time appropriations. We're not making anything--we're on
30 the arts now and we're not making any commitment to future years...

32 COUNCILMEMBER ELRICH:

33 The ability to do that, I think, as you've pointed out, changes the nature of the process and
34 sort of the review of the process, and that's what I'm getting at is maybe we ought to be
35 looking at retaining more review rather than less review in general.

37 COUNCILMEMBER LEVENTHAL:

38 Well, with respect to HHS, the 7 or 8 grants that were added are a tiny part of the portfolio
39 of contracts that HHS has with-- with all of its non-profit service providers, so in the HHS
40 department, there is a concern about reviewing contract monitoring, which was discussed
41 when we were talking about HHS. We don't annually review every single contract with the
42 hundreds of service providers that have contracts to which we added, you know, less than



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1 10. So that's a really small piece of the overall portfolio of ongoing contracts in the base
2 with service providers. Here, I'm seeking, I guess, less review, but I'm seeking the primary
3 review to be by the Arts and Humanities Council, which would provide operating support
4 and, you know, startup project support. It develops its own formulas with the lump sum
5 appropriation that we give it.

6
7 COUNCIL PRESIDENT ANDREWS:

8 All right. OK. Thank you. All right. I don't see any of the comments on the Arts and
9 Humanities Council NDA, so we can then...

10
11 COUNCILMEMBER LEVENTHAL:

12 And the last point on the Arts and Humanities Council NDA is simply to underscore what
13 Mr. Berliner had said, is that the suggestion was made that the lead councilmember for
14 energy and environment convene a discussion of group purchasing of utilities and
15 whether non-profits and even the private sector could benefit from that. And that does
16 conclude the Arts and Humanities Council NDA.

17
18 COUNCIL PRESIDENT ANDREWS:

19 Very good. I thought that was an excellent suggestion about working to pool resources
20 and see if we can get more efficiencies that way, through utilities and so on. All right.
21 Thank you, Chair Leventhal. We're now going to go on to item 5, which is general
22 services, fleet management, and motor pool fund contribution, non-departmental account,
23 and this is with the T&E Committee. I'm gonna turn to our chair of that committee--Nancy
24 Floreen.

25
26 COUNCILMEMBER FLOREEN:

27 OK. Number 5, right?

28
29 COUNCIL PRESIDENT ANDREWS:

30 Number 5.

31
32 COUNCILMEMBER FLOREEN:

33 Number 5. Well, our big savings here is reducing the county executive's budget by
34 \$132,000, which reduces the size of the Montgomery County Car Share fleet by 10
35 vehicles. We can go on with the presentation from the department, but we had a number
36 of conversations with them about the disappointing experience with biodiesel fuels. We've
37 asked them to come back to us on that issue. And I think we'll take a look at that again in
38 the summertime. But that's-- we really did take them through quite a number of
39 conversations on how we could reduce expenditures in the fleet management system
40 more thoroughly over a considerable number of conversations, and we whacked them and
41 whacked them and made it clear that our policy is to minimize SUVs, to encourage the
42 use of fuel-efficient vehicles in every circumstance, and to improve our--our dependence



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1 on alternative energy sources for the--for the fleet. So, that is the committee
2 recommendation in a nutshell. Mr. Dise, have I gotten anything wrong there?

3
4 DAVID DISE:

5 No, that's correct. I believe--Susan, did you want to speak to the one item?

6
7 SUSAN FARAG:

8 Madam Chair, I just--I wanted to make a clarification in my packet. The committee did vote
9 to reduce the size of the car share fleet from 28 down to 18 vehicles since they're not
10 being utilized at this point. That is a savings of \$132,000, but it was not apparently
11 appropriated as part of the FY10 recommended budget. So I need to get back with council
12 staff, probably Dr. Orlin to make sure--

13
14 COUNCILMEMBER FLOREEN:

15 So we may not have saved what we thought.

16
17 SUSAN FARAG:

18 It's--it's not something that frees up general funds.

19
20 COUNCILMEMBER FLOREEN:

21 Oh, well. Well, we tried.

22
23 DAVID DISE:

24 Yeah, I think the point here is that--that this is--this is not--doesn't have a direct impact on
25 the general fund. This would impact the fleet operating budget but not the general fund.
26 The departments pay for the rentals as they use them, but--but the overall contract
27 reduction would be between the county and its contract with the Enterprise.

28
29 COUNCILMEMBER FLOREEN:

30 OK. Is there--looks like Mr. Berliner has something to add to this.

31
32 COUNCIL VICE PRESIDENT BERLINER:

33 What I'd like to explore with you, Director Dise, is a separate issue we talked about--
34 reducing the car share program, in part because it wasn't being utilized, not because we
35 don't support it. It just was having growing pains. With respect to that reduction, you're
36 now telling us that that will not have a commensurate reduction in our general fund
37 obligations and therefore won't achieve a budget savings. Is that correct?

38
39 DAVID DISE:

40 That is correct.



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1 COUNCIL VICE PRESIDENT BERLINER:

2 All right. I want to then move to the issue of the Enterprise car rental, which is something
3 on the order of \$300,000+ in the last year. If we were to reduce that amount by 1/3, would
4 that have a general fund reduction?

6 DAVID DISE:

7 Again, yes. The-- the departments are paying for those rentals. If they reduce the amount
8 of cars that they rent, then that reduces their cost.

10 COUNCIL VICE PRESIDENT BERLINER:

11 OK. In our conversation with respect to this matter, you had indicated yourself a little
12 bewilderment at the size of our expenditure in this regard and expressed confidence that
13 we could, in fact, make headway in reducing this expenditure. Am I correct?

15 DAVID DISE:

16 That is correct, and we already have.

18 COUNCIL VICE PRESIDENT BERLINER:

19 OK. Then, I would like to suggest to my colleagues that we reduce this particular item by
20 \$100,000 and assume that our department will, in fact, make good on their claims of
21 finding the dollars necessary.

23 COUNCILMEMBER FLOREEN:

24 I think that's a unanimous committee recommendation.

26 COUNCIL PRESIDENT ANDREWS:

27 All right. Very good. And I think we can say without objection on that one. So. Without
28 objection.

30 COUNCILMEMBER FLOREEN:

31 This would come from the--the... accounts of the different agencies, would it not? Susan?

33 DAVID DISE:

34 That's correct.

36 COUNCILMEMBER FLOREEN:

37 Yeah. OK. OK. Fine. So that's the committee recommendation.

39 COUNCIL PRESIDENT ANDREWS:

40 OK. Thank you, Chair Floreen. Do you have anything else to say? No? OK.

41 Councilmember Trachtenberg.

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1 COUNCILMEMBER TRACHTENBERG:

2 Thank you, President Andrews. I would take my colleagues' time. I'd ask them to go to
3 circle 2 just briefly and look at the service adjustments that are listed there. I would note
4 for colleagues that didn't have the benefit of the Management and Fiscal Policy committee
5 discussion on Friday, the personal patrol vehicle program expansion, we had voted
6 unanimously within the committee to defer action on that recommendation. Basically, we
7 had significant concerns around actual fiscal obligation relating to the expansion. The
8 placeholder of \$237,000 did not seem adequate to those of us on the committee. An issue
9 around liability that I myself raised was also part of our general concern, so I wanted to
10 just alert my colleagues to the fact that we have not approved the PPV policy as produced
11 and provided in our collectively bargained agreement with the FOP.

12
13 COUNCIL PRESIDENT ANDREWS:

14 Thank you. So--

15
16 COUNCILMEMBER FLOREEN:

17 Is that a motion?

18
19 COUNCILMEMBER TRACHTENBERG:

20 Well, in effect, yes, that, you know, we obviously are not putting forward the-- the
21 program, which clearly...

22
23 COUNCIL PRESIDENT ANDREWS:

24 No, I think what we probably should do is, since we asked the executive to come back
25 with a--a fiscal estimate, since we didn't have one. What we have...

26
27 COUNCILMEMBER FLOREEN:

28 OK, you're--that's--that's something you're gonna take up--

29
30 COUNCILMEMBER TRACHTENBERG:

31 Right. We're deferring it.

32
33 COUNCIL PRESIDENT ANDREWS:

34 So, in effect, this item here is really not ready for action. We need to come back to this
35 item. Yes.

36
37 COUNCILMEMBER TRACHTENBERG:

38 Yeah, at some point.

39
40 COUNCIL PRESIDENT ANDREWS:

41 And we'll--we've got some opportunities in the next few days. So we'll come back to that
42 part. OK?



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1 COUNCILMEMBER TRACHTENBERG:

2 Not making a motion specifically to add or subtract, Nancy. I just wanted to give people
3 the information.

4
5 COUNCILMEMBER FLOREEN:

6 All right.

7
8 COUNCIL PRESIDENT ANDREWS:

9 OK. All right. Any other questions about this budget? Seeing none, we will move forward
10 and come back on the personal patrol vehicle program item. Thank you. All right. Item 6 is
11 the non-departmental account on leases, and I'll turn to the chair of the Management and
12 Fiscal Policy Committee-- Councilmember Trachtenberg.

13
14 COUNCILMEMBER TRACHTENBERG:

15 Thank you, President Andrews. I will provide the recommendations from the Management
16 and Fiscal Policy Committee regarding the lease NDA. There's a excellent table on page
17 one of packet--the packet for item number 6, and it itemizes the recommendations, you
18 know, very--very well. I'm gonna start by talking about the reduction on the cost for the
19 Sixth District police station, again in the amount of \$133,000. This station will be moving
20 into its new location effective January of 2010, and the savings identified is from the 6-
21 month cost of the old lease, and it was inadvertently left in the FY10 budget that was
22 provided to us, so it's more of a technical adjustment. But that would be the first cost
23 reduction identified by the committee. The second would be reducing the cost for the GE
24 Tech Park lease in the amount of \$158,000, and I understand that the Public Safety
25 Committee has approved the lease purchase of the facility. Obviously, a number of
26 programs will move out of leased space elsewhere and into the park. There will be a
27 \$1.294 million decrease from the lease terminations. That is the amount in the FY09
28 budget, but the increase in lease cost of the park will only be \$1.136 million, and hence
29 there's a \$158,000 savings. That is the difference between a decrease and the increase,
30 which, again, was in the original budget provided to us. So, another-- another technical
31 adjustment. The third item I would provide some detail on is the closure of the Piney
32 Branch police satellite facility. Clearly, the committee is recommending not to close--close
33 the facility and increase the lease cost by \$75,000. The executive proposed closing it to
34 save money, and it was the decision that a presence in the community was important.
35 That was the consensus of the committee unanimously, and we felt that way because of
36 gang activities, burglaries, and other crimes in the area. So, for now, we are
37 recommending not to close the Piney Branch satellite facility. A few items that I would
38 bring to your attention. Again, they did not produce a lengthy conversation, but I just want
39 to point them out to you. On pages 2 and 3, at the bottom of page 2, the 311 constituent
40 resource management call center. Just would let you know that the new lease has been
41 signed and there is a cost of \$255,260, and that is a full year amount of--of rent. The
42 second item I want to call to your attention is on page 3, which is the interim Gaithersburg



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1 library, and again, this is an interim situation, a storefront situation, that will be provided to
2 the community as the existing Gaithersburg library is renovated and expanded. The cost
3 of this in FY10 is \$400,000. The last item I wanted to bring to your attention before we go
4 on to the Broome School issue is the HHS expansion for 11 North Washington Street, and
5 basically, this is an expansion that would provide for the relocation of Montgomery Cares
6 staff to Washington street from the current locale of 401 Hungerford, and it would also
7 provide some expansion space for Aging and Disability staff, and I would just point out
8 that in FY10, 75% of the increase in cost will be paid through the grant. 25% or 38,000 will
9 be charged to the--to the NDA. So, with that, I'm gonna bring you to the final
10 recommendation from the Management and Fiscal Policy, and Public Safety Committee.
11 This is a lease, a potential lease that was initially discussed within the Management and
12 Fiscal Policy Committee several times. It would be the relocation of outpatient addiction
13 services from the current Broome School location over to a identified location on Rollins
14 Avenue. This is clearly a lease, which produced, as I said, several work sessions' worth of
15 discussion. There was a joint committee recommendation not to proceed with the lease as
16 proposed. I don't know that we want to go into a very lengthy debate about it, but I think it
17 would be important to note for my colleagues that it is my understanding that there are
18 some new negotiations which have begun between the executive branch and the property
19 owner on Rollins Avenue. It would be my understanding at this point that there would be
20 an interest in looking at this potential lease again, but also evaluating it with some other,
21 more fleshed-out, more specific proposals for some other sites, specifically sites in
22 county-held property. And it would be my hope that that discussion will happen in the next
23 few months. I know there has been a lot of dialogue about this particular lease proposal.
24 There's been a lot of interest to work with the community to make a relocation of the
25 program happen. I believe that the decision, as best I understand it from my colleagues,
26 not to support the proposed lease at this time was one based solely on dollars, and the
27 fact that it was not seen as being the best option, I was the lone vote supporting what was
28 proposed because I felt it would provide an optimal service situation. But again, as I said,
29 I'm sure we'll be revisiting the topic in the next few months and the standing
30 recommendation from the joint committee is not to support the relocation from the Broome
31 School location at this time, and clearly remove the \$2,281,250 that had been provided in
32 the executive's budget for the relocation. So that would be the MFP recommendation. But,
33 again, I'd note for the record that the Broome School and Rollins Avenue discussion, the
34 recommendation was a joint committee recommendation.

35
36 **COUNCIL PRESIDENT ANDREWS:**

37 Well, thank you, Chair Trachtenberg, and as you noted, we did have a--a good discussion
38 in the joint MFP and Health and Human Services Committees on this, and I think it's fair to
39 say that all the committee members feel that the--the methadone clinic and possibly some
40 other uses there would be better located in another location not near a residential
41 community. The question is, what's the best solution, and what is the best alternative that
42 will be an appropriate location and one that is cost-effective, most cost-effective, and one

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1 that is as permanent as possible. And I think that we have a couple different possibilities
2 now that have been discussed that need to be fleshed out. I don't think that the council is
3 able to revisit this in the next couple days, but the executive is--is free at any time to come
4 forward with a proposal that the council can consider. The council, I will note, the 2
5 committees of the council, the Public Safety Committee and the Transportation and
6 Environment Committee, did recommend on Friday that the appropriation move forward
7 for the purchase of the GE Tech Park building, which, if that happens, as I think is now
8 likely, would free up the current site of the Montgomery County Police headquarters,
9 which has been mentioned as a potential location for what is now at Broome, in terms of
10 the clinic. So, we do have a live possibility there, and I think we need to compare the
11 benefits and the costs of each, and so I think the committee recommendations on this
12 make sense for those reasons. I'll turn to Councilmember Knapp and then to
13 Councilmember Leventhal, the chair of the HHS Committee.

14
15 COUNCILMEMBER KNAPP:

16 Thank you, Mr. President. I actually have one on the issues that are all non-controversial.
17 The Sixth District police station, the \$133,000, I just wanted to make sure that with this
18 modification, we're on track to be able to make a move from their existing site into this--
19 this new leased facility as soon as possible, to do the fit-out and do whatever needs to get
20 done so that we actually have a working, functioning, living facility.

21
22 DAVID DISE:

23 That is correct. We--General Service is particularly acutely aware of the conditions of the
24 current location, and the date that was mentioned in the council packet of January 2010,
25 we are on track for that. We do have a lease and--and are negotiating for the construction
26 and the build-out, that we are on schedule.

27
28 COUNCILMEMBER KNAPP:

29 And we actually have enough square footage in this new facility to actually house all of
30 our officers, and they've actually got room so they can have meetings and...

31
32 DAVID DISE:

33 We do, indeed, yes. We have worked with the police department and their program
34 requirements to--to meet their requirements for this facility.

35
36 COUNCILMEMBER KNAPP:

37 OK. Very good. Thank you.

38
39 COUNCIL PRESIDENT ANDREWS:

40 Thank you, Councilmember Knapp. Councilmember Leventhal.

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1 COUNCILMEMBER LEVENTHAL:

2 Yeah, I just want to associate myself with the council president's comments on the issue
3 of the Office of Addiction Services. I'm optimistic that a relocation site will be identified in
4 the near term. I agree with what the council president has articulated, that having these
5 services in a residential neighborhood is undesirable and it's simply a question of finding
6 the best possible site for relocation. I do want to point out--I know that some community
7 members are present here--that even if the executive branch's proposal were concurred
8 with by the council, it would still leave threshold services in the Broome School, and so
9 there would still be clients with co-occurring disorders, including substance abuse
10 problems, in the facility, so the concerns that have been raised by the community would
11 not entirely be addressed even by the executive's proposal, but I appreciate the council
12 president's comments and agree with him.

14 COUNCIL PRESIDENT ANDREWS:

15 All right. Thank you.

17 COUNCILMEMBER TRACHTENBERG:

18 Actually, one thing I would mention again to my colleagues is I've been approached by 2
19 councilmembers who actually asked to have a tour of OAS at some point in the next few
20 months, and perhaps if we could work through HHS to schedule that at some point before
21 we go off on summer break, I think that'd be useful. I think that would provide some really
22 important context to any decision that gets made either, you know, by the committee or
23 certainly by the full council.

25 COUNCILMEMBER LEVENTHAL:

26 I'll be delighted to accommodate that on our schedule. It won't be my first visit to OAS. I've
27 been there before but I'll be happy to make another visit.

29 COUNCILMEMBER TRACHTENBERG:

30 I've been there many, many times, but I know a few of our colleagues have not, so it
31 probably would be a good--a useful exercise. A good field trip.

33 COUNCIL PRESIDENT ANDREWS:

34 OK. Are there any other questions or comments about this item?

36 DIANE SCHWARTZ_JONES:

37 If I may, just one point on the threshold services. Part of the rationale there is that it is a far
38 less intense use and it's done by appointment. It's not that the--constant influx, so it's-- it's
39 qualitatively different in the use that is made.



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1 COUNCIL PRESIDENT ANDREWS:

2 OK. Thank you for the clarification. All right. I don't see any other questions on this, so we
3 will accept the recommendations that came from the MFP Committee and the joint
4 MFP/HHS Committee on-- on the Broome School, and we will--now we can--we've got
5 about 15 minutes till we have to break. We could start, if we have people here from--and I
6 see we do have people here from MCPS--we can get started and at least get--get a
7 portion of the way in.

8
9 COUNCILMEMBER ERVIN:

10 Good morning while we're still in the morning by a couple minutes. We're gonna go ahead
11 and take up the MCPS operating budget, item number 7 in the packet. And as we're
12 waiting for members of the board and the MCPS to come to the table, I want to take this
13 opportunity to thank my colleagues on the Ed Committee for all their hard work in getting
14 to the--to the packet that we have before you, and our recommendations that we're gonna
15 talk about here in a second. Can--for our listening audience, introduce yourselves,
16 everyone at the table.

17
18 SHIRLEY BRANDMAN:

19 Good morning. Shirley Brandman. I'm the president of the Board of Education.

20
21 JERRY WEAST:

22 Jerry Weast, school superintendent.

23
24 LARRY BOWERS:

25 Larry Bowers, chief operating officer.

26
27 MARSHALL SPATZ:

28 Marshall Spatz, director of management, budget, and planning.

29
30 JOE LAVORGNA:

31 Joe Lavorgue, acting director of facilities management.

32
33 COUNCILMEMBER ERVIN:

34 Thank you very much, and we're joined at the table by our very able senior analyst here--
35 Essie McGuire. So, just a couple of points, and I'll turn this over to Essie and then--or to
36 you first. But the county requested a waiver from--for maintenance of effort funding
37 requirement from the state board of education. We were there at the state board 2 weeks
38 ago, just about 2 weeks ago. And so, at the time of this printing and as today--as of today,
39 the county still has not received any word from the state board of education whether or not
40 this request was approved or denied in whole or in part. So, the Education Committee
41 discussed and concurred with the funding assumptions of the waiver request, and we did
42 not make any additional recommendations regarding the MCPS budget pending the

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1 outcome of this request. So, therefore, as you look in the packet, and--and Essie will help
2 us here in a second--you will see that we-- we have a couple of charts indicating--on page
3 4, under the overview of revenues, that it's important to note that while necessary for
4 tracking purposes, these revenue assumptions are no longer current, and--and then on
5 page 5, we go through where we really are right now, but we're still waiting on word
6 regarding our--our waiver. So the summary of the board requests on page 2 is as follows.
7 The Board of Education requested a \$2,152,103,336 budget for the FY10 MCPS
8 operating budget. This amount represents an increase of \$85.4 million, or 4.1%, over the
9 FY09 approved level. The tax-supported budget request is \$1.999 billion, an increase of
10 \$62.3 million or 3.2% over the FY09 tax-supported level. Consistent with other years,
11 89.5% of the board's total request is for salaries and benefits. A total of \$1,926,209,511
12 increases employee salaries and benefits, including retirement benefits for current
13 employees and retirement--retirees, account for approximately \$80.4 million of the
14 requested \$85.4 million increase. The board's request does not include funds for a
15 general wage adjustment or COLA. Continuing salary costs related to annual step
16 increments increase the budget by \$19.6 million net of a lapse and turnover savings. The
17 primary increase of the budget not related to compensation or benefits is an increase of
18 \$18.9 million needed to meet increased enrollment. Costs associated with opening
19 Clarksburg Elementary School number 8. Add \$1.7 million, and inflationary increases
20 such as utilities, add \$9.4 million. The FY10 operating budget requests reflect total
21 savings and reductions of \$31.2 million, and 225 FTEs taken to the base budget. This
22 total was originally larger in the superintendent's recommended budget. The board was
23 able to mitigate the reductions to certain special education programs following receipt of
24 federal ARRA stimulus funds. Of the total reductions, \$15.7 million and 50% are from
25 central and support functions and \$15.7 million and 50% are from school-based
26 resources. The average cost per student, excluding debt service and enterprise funds for
27 FY10, is \$14,519, an increase of \$397 or 2.8% over the FY09 amount. The board's
28 request adds a net of 200.69 full-time equivalent positions in FY10. Of this total, 199.248
29 are supported by federal grant funds. The chart on circle 127 shows requested positions
30 according to type of position. The biggest increase so far in positions is in the classroom
31 teacher category with 174.2 requested. 13, approximately half, of the 23 categories reflect
32 a reduction in positions requested. Of the total requested increase, the board assumed
33 only \$17.7 million increase from local tax-supported funds. And so Essie has provided us
34 with some charts here, which I'm going to turn it over to Essie to walk us through, and I
35 guess--before you do that, Essie, I will--I will ask the superintendent and the president of
36 the board of education if they had any comments they'd like to make at this time.

37
38 SHIRLEY BRANDMAN:

39 Just here to answer any questions you have, although I will proudly say that Clarksburg
40 number 8 is now the William B. Gibbs, Jr. Elementary School.



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1 COUNCILMEMBER ERVIN:

2 Very good. OK, Essie.

4 JERRY WEAST:

5 Just that we are very happy to--with our working relationship with the Education
6 Committee. I think you know this has been a--a difficult time. To summarize what the
7 Chairman said, we've had to move around about \$282 million in the last 12 months in
8 order to meet the needs of the county and the education, and that wouldn't have been
9 easy unless we had a good working relationship. It made a hard, difficult task possible.

11 COUNCILMEMBER ERVIN:

12 Well, we've appreciated having the collaboration, which we will continue. So, hopefully,
13 we'll hear something about this waiver. If you have any--any inklings, please let us know.
14 It's been--what--2 weeks? Was it 2 weeks today?

16 COUNCIL PRESIDENT ANDREWS:

17 Let me just echo what council--the council chair of the Education Committee said in that
18 they had a very good collaborative relationship with--with MCPS, with the school board,
19 with Dr. Weast, and working to get through these tough times in a way that preserves the
20 crucial programs that we all support in our school system that have made a substantial
21 difference in the education of the children of this county, and very much appreciate the
22 incredible dedication that is shown by the--the members of the board and by the MCPS
23 staff, and through and through. Our teachers, our support employees, our principals. It
24 really is a great team effort, and I commend the system for how they have gone about
25 their entire budget this year.

27 COUNCILMEMBER ERVIN:

28 Thank you. Turn over to you, Essie.

30 COUNCIL PRESIDENT ANDREWS:

31 OK.

33 ESSIE McGUIRE:

34 OK, I'll just briefly highlight the resources and revenue sources that are outlined in your
35 packet on page 5 of the packet. The table 2 at the top shows the recommended MCPS
36 operating budget by revenue source. Column one is the board's request, column 2 is the
37 county executive's recommendation, and Column 3 are the assumptions under the
38 county's request for a waiver from the maintenance of effort requirement. Just briefly
39 walking you through these, the county contribution, which is the top line of the third
40 column, which is the \$1.45 billion contribution, is assumed currently at the lowest possible
41 level, which does reflect the final waiver amount requested. That level, obviously, is the
42 biggest variable. That could still change pending both state action and other county

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resources. The county contribution also reflects the county executive's budget adjustment, which did recommend to reduce the MCPS contribution to OPEB by \$6.3 million, leaving \$12 million in the '10 budget assumptions. And that adjustment is reflected in the county's waiver request. The FY09 fund balance, which shows on the second line of the third column, does include at the moment the \$24.2 million that the state intends or has stated that it intends to provide the county as the replacement ARRA funding for the FY09 funding miscalculation. And the state revenue is somewhat lower than the executive assumptions due to reductions in special education and aging schools. However, it does reflect the GCEI funding that was funded at a full level, and the other increases in the-- in the state aid. The bottom line to all of this is that in the past several months, state aid has increased overall. Federal aid has increased due to stimulus funding, and the local contribution is anticipated to be reduced if the state approves the waiver that has been requested. Given all these puts and takes, it's important to note that if these assumptions hold--hold, then the net resulting tax-supported budget will be very close to the superintendent's original submission, which would allow the county to maintain the educational programming as requested with some adjustments primarily to OPEB.

COUNCIL PRESIDENT ANDREWS:

It's a good overview. And we've only got another 5 minutes or so for the morning, for this-- this first session. We will come back at 1:30 and pick it up.

COUNCILMEMBER ERVIN:

Well, unless my colleagues want me to go through every single line through this packet, which I don't believe is necessary, I think that what Essie has prepared for us pretty much puts us in the place we need to be to make the decisions that we need to make as of today, so if there are no other questions or issues that other folks have, I think we're good to go.

COUNCIL PRESIDENT ANDREWS:

OK. Councilmember Floreen has a question or comment.

COUNCILMEMBER FLOREEN:

Thank you. I fully support the committee's recommendation on this, so I don't want to take a lot of time, but I just want to understand the maintenance effort issue a little bit better. Essie, what you just said, could you point me again to the lines that you're referring to?

ESSIE McGUIRE:

The--

COUNCILMEMBER FLOREEN:

With respect to where we are today and where we might end up.

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1 ESSIE McGUIRE:

2 Sure. Let me-- yes. The--on page 5, the table 2 at the top, the FY10 waiver which is the
3 third column, the top line, the 1450 billion dollar figure, that represents what the county
4 contribution would be if the state approves the maximum waiver amount that has been
5 requested. If the state did not approve the waiver in whole, the county would be required
6 to increase that number to 1529. And--

7
8 COUNCILMEMBER FLOREEN:

9 OK. And that is the number that we're looking at in terms of county resources, that in this
10 category that would be needed.

11
12 ESSIE McGUIRE:

13 The county's required contribution under maintenance of effort, if you look on page 6 of
14 your packet, is \$1.529 billion.

15
16 COUNCILMEMBER FLOREEN:

17 And that's the one in the--in the first line on this--in this box.

18
19 ESSIE McGUIRE:

20 The maintenance of effort is not actually reflected in this--in this-- in this box. That first
21 1529 of the board's request is indeed very close to maintenance of effort for the county
22 contribution. There have been some adjustments to the MOE calculation since then.
23 There have been a lot of moving parts, and so that's why this table does not map quite as
24 clearly as perhaps it could otherwise.

25
26 COUNCILMEMBER FLOREEN:

27 So, is the issue, then, that resource cannot be located in any other category? It has to be
28 located within the county contribution.

29
30 ESSIE McGUIRE:

31 The state requirement of maintenance of effort, is explicitly relates to local contribution
32 year to year, cannot be reduced except as adjusted for enrollment, so the state requires
33 that the local contribution be the same in the next year per student, so it can increase for
34 enrollment or decrease for enrollment. And it does not take into account any other funding
35 sources at all. No state or federal dollars can be taken into consideration for maintenance
36 of effort. So the county's contribution of the 1450 there assumes that the state grants the
37 waiver in whole at \$79.5 million, is what we've requested that our requirement be reduced
38 by. If the state denies it, then we would be required--the county would be required to
39 provide the \$1.529 billion or the state could deny it in whole or in part...



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1 COUNCILMEMBER FLOREEN:

2 Sure, I understand. So, if it--regrettably, might--if we get a decision that affects this
3 number, if you could be so good as to give us a copy of the rules, I just...

4
5 ESSIE McGUIRE:

6 The law--the law and regulations are in the packet.

7
8 COUNCILMEMBER FLOREEN:

9 They're in here. OK.

10
11 ESSIE McGUIRE:

12 And they are... yeah. The--the pages 6 and 7 go through, and I could walk through this
13 more clearly...

14
15 COUNCILMEMBER FLOREEN:

16 No, you don't need to do that, but if you haven't actually...

17
18 ESSIE McGUIRE:

19 The law and the regulations are circled on 88 to 90--I'm sorry. No.

20
21 COUNCILMEMBER FLOREEN:

22 They're in there somewhere.

23
24 ESSIE McGUIRE:

25 79 to 87. 79 to 87.

26
27 COUNCILMEMBER FLOREEN:

28 I thought this was a nice, big packet.

29
30 ESSIE McGUIRE:

31 It's thick. The-- yeah, the law is--begins on circle 79 and walks through the requirements.
32 The regulations regarding MOE begin on page--on circle 86.

33
34 COUNCILMEMBER FLOREEN:

35 OK, well, my--I see why this is a--a significant professional obligation to do this math. It--
36 I'm always impressed by the MCPS ability to decipher these challenges, so--fine. Thank
37 you very much. And I wanted to say to the school system and to the school unions, thank
38 you. Thank you for taking the leadership on the COLA issue in particular. That set a
39 national standard, as we know from Tom Friedman's column, and it certainly has helped
40 the county in its other labor negotiations. So I wanted to express that initiative to the
41 president of the board, to the--Mr. Weast, and to the unions. I--it's made a huge difference
42 for the county. So, thanks very much.



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1 COUNCIL PRESIDENT ANDREWS:

2 Well said. Thank you, Councilmember Floreen. And I want to just commend also the chair
3 of the Education Committee, who took us through the budget in committee in a way that
4 brought out the key issues that are driving the system. As we heard from Dr. Weast and
5 from the school board, we have some trends that are driving the system in terms of
6 enrollment. We are seeing an increase in foreign students and ESOL students, and we're
7 seeing an increase in transfer in of students from private schools, probably resulting from
8 the economy. So, those are combining to create both a larger and a needier student body,
9 and that's what this school system has paid very close attention over the years, as has the
10 council, to-- to prioritizing the funding so that it addresses those challenges in a way that's
11 making a difference. Councilmember Elrich has a question or comment.

12
13 COUNCILMEMBER ELRICH:

14 This-- difficult year to make all this work together. Something that's not been clear to me is
15 what happens if--suppose the state says they're not giving us xyz, whatever. What are the
16 consequences? They can't surely dip into the budget and say, "We're moving \$91 million
17 or whatever."

18
19 ESSIE McGUIRE:

20 The law state-- the law states that meeting maintenance of effort is a condition of being
21 eligible for the state share of foundation aid, and the foundation aid anticipated for this
22 year is \$223 million. So that could theoretically be the consequence.

23
24 COUNCILMEMBER ELRICH:

25 So you're trading off \$90 million or \$79 million for \$223 million, theoretically. OK.

26
27 COUNCIL PRESIDENT ANDREWS:

28 All right. And we got time for one more question or comment before we break for an MFP
29 Committee meeting, which--which continues to--to meet. As we--as we do. That's what
30 MFP does. Councilmember Knapp.

31
32 COUNCILMEMBER KNAPP:

33 No, I just again wanted to express my appreciation to everyone and, you know, the thing
34 that was interesting to me a week or so ago, the Council of Governments just completed a
35 survey of the region, and in--in their survey, one of the questions that was asked was
36 "What is so important in your community that you would actually pay more taxes for?" And
37 at the top of the list, not just in Montgomery County but throughout the entire Washington,
38 DC region, was public education. And so in spite of the accolades that this school system
39 has received and Fairfax and other school systems in this jurisdiction, clearly this--this
40 region understands and recognizes the leadership role that we have but also is still willing
41 to make sure that is providing the adequate investment for the future and for the ongoing
42 economic vitality of this community. So I want to thank you for your efforts today. We'll all--



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1 we all wait on pins and needles to see what happens in the coming days, but thank your
2 for your efforts and we look forward to continue to work with you to have a very successful
3 outcome for our children and our families.

4
5 COUNCIL PRESIDENT ANDREWS:

6 Well said. Thank you, Councilmember Knapp, and thank you, Council Chair of the
7 Education Committee Valerie Ervin. And we are, with that, going to recess and we are
8 going to--

9
10 COUNCILMEMBER FLOREEN:

11 Come back...

12
13 COUNCIL PRESIDENT ANDREWS:

14 If we--we are--if there are no other questions or comments, then we're giving preliminary
15 approval to what is before us, and we will...

16
17 UNKNOWN SPEAKER:

18 [Indistinct]

19
20 COUNCIL PRESIDENT ANDREWS:

21 There you go. So, thank you, all, and we are going to now--the MFP Committee is going
22 to move next door into the third floor conference--right now for just a few minutes.

23
24 COUNCILMEMBER TRACHTENBERG:

25 What I hope to be a brief conversation--ha ha ha--and a vote.



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1 COUNCILMEMBER ERVIN:

2 Good afternoon. We're going to continue the operating budget, our Capital Improvement
3 Program for MCPS Item number 8. There are a few items in this packet, and we'll start
4 with the CIP project county water quality compliance. And the ED committee
5 recommendation is as follows:

6 "Concur with the Board of Education's request for a capital project for county water quality
7 compliance. Approve a total of \$410,000 for FY10. Following the committee worksession,
8 Council staff determined that of the total, \$130,000 was eligible for G.O. bond funding and
9 the remaining \$280,000 would need to be funded in current revenue." So that was the
10 committee's recommendation on that item. The Ed. committee agreed that "funds are
11 needed in FY10 to begin compliance activities related to both existing permits, including
12 the general industrial discharge permit and to meet new co-permittee requirements." So
13 the total for MCPS in this item is \$410,000 for FY10. Any comments or questions?

14
15 COUNCILMEMBER KNAPP:

16 Madam Chair?

17
18 COUNCILMEMBER ERVIN:

19 Sure.

20
21 COUNCILMEMBER KNAPP:

22 Um... I had an opportunity to participate in the DEP discussions related to the county's
23 water quality piece. And as it was described to me there, funding for that is going to look
24 roughly akin to a hockey stick. And so that in 2011, I believe, is about when we start to
25 see this big bump. As co-permittees, have you guys had conversations to get a sense of--
26 and they were talking about in the order of \$100 million to \$120 million. So I'm assuming
27 that's roughly half to you, half to the county? Is that how that breaks, or does it go--

28
29 JOSEPH LAVORGNA:

30 That 108 or 120 that DEP was talking about is for county.

31
32 COUNCILMEMBER KNAPP:

33 OK.

34
35 JOSEPH LAVORGNA:

36 We have yet to find out what our costs will be, which is why we need to do some study
37 work, since this is the first time we are part of the permit.

38
39 COUNCILMEMBER KNAPP:

40 So it's 120 plus...whatever you guys come up with?



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1 JOSEPH LAVORGNA:

2 Yes.

3

4 JERRY WEAST:

5 This was, like, new to us.

6

7 COUNCILMEMBER KNAPP:

8 I understand.

9

10 JERRY WEAST:

11 It was legislated without our even knowledge or input.

12

13 COUNCILMEMBER KNAPP:

14 Legislated not from this legis--

15

16 JERRY WEAST:

17 No, no.

18

19 COUNCILMEMBER KNAPP:

20 Just want to be clear on that.

21

22 JERRY WEAST:

23 Not from the County Council. OK. A year ago... Here's our concern is that-- as you know,
24 from the morning discussion, our enrollment's gone up.

25

26 COUNCILMEMBER KNAPP:

27 Mm-hmm.

28

29 JERRY WEAST:

30 As you know, it's becoming more an enrollment that we have to pay very close attention to
31 to get the same outcome as college ready. At the same time, we're running out of space
32 for them. But things now are coming on our plate that don't build space. They're important
33 things--water quality, air quality, reforestation, green schools. They're all important things,
34 but they cost the CIP hundreds of millions of dollars that were not anticipated that do not
35 build any extra space. And therein lies our challenge and your challenge. How do you
36 fund a CIP that actually, after you do these things that you've got to do, keeps you in line
37 with the space that you need for the children?

38

39 COUNCILMEMBER KNAPP:

40 Well, that's why I'm trying to get a sense of what it is that we think is out there that's going
41 to catch us off guard. How long do you see the study taking? At what point do you think
42 you'll start to get some sense as to the magnitude of the numbers?



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1 JERRY WEAST:

2 Hopefully before we introduce our general CIP, but if you authorize it, it will be, what, a
3 year? What's scary to us is we don't know what we don't know.

5 COUNCILMEMBER KNAPP:

6 Right.

8 JERRY WEAST:

9 Since we've never been in this business before, and we got stuck as a co-permittee,
10 we've got to figure out--you already know what your 120--we don't know what our portion
11 will be.

13 COUNCILMEMBER KNAPP:

14 The reason I'm asking is, since this was a state-required--state mandate, at least from our
15 Director of Environmental Protection, there was an indication that there are some
16 resources that should be available from the state. And to the extent that they haven't
17 necessarily understood the magnitude of the situation that they have burdened local
18 jurisdictions with, it may be worthwhile for us to have some clearly identifiable numbers
19 available before the legislature goes into session so they can start to chew over what it is
20 that they would like to help us provide for since we have struggled with them on the capital
21 side just for school construction, but to try to do it in a way that we can segment it out. But
22 we need to know what the number is in order to kind of put it on top of them, so I just want
23 to make sure that we get something before then. That would be great.

25 JERRY WEAST:

26 And 3 of you who have been Chair, and one of you that's Chair of the Education
27 Committee, know this for a fact. They haven't even lived up to their promises that they
28 made on the school construction. This year, we were owed 113. We only put in 40,
29 because they hadn't in prior years lived up to any of their promises, so what made us think
30 that we were going to get 40? Well, we're 16% or higher of the total population of
31 students, and if they'd taken the amount of money that they allocated and took that times
32 16%, why, we would get more than \$40 million. They didn't do it thataway. We actually
33 wound up 12 million short of the \$40 million. And had we not had some favorable
34 construction bids, we would have been sitting here delaying projects. Instead, we're able
35 to now adjust projects in the CIP, thanks to Valerie and working with the Education
36 Committee and the Board of Education to keep the projects going. But there is no extra
37 money for water permittee the issues that are important but never were before in our
38 jurisdiction.

40 COUNCILMEMBER KNAPP:

41 And that's why I wanted--that's why I'm trying to raise this issue, because I think it's
42 important for us to keep this in mind relative to the other capital projects that we have out



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1 there and burdens that we have from the state that hopefully they can help provide us
2 some assistance with.

3
4 JERRY WEAST:

5 As you know, I think our board's biggest fear is that we will be delaying projects which
6 people will not understand to do other projects that were not even in their jurisdiction.

7
8 COUNCILMEMBER KNAPP:

9 Right. Thank you, Madam Chair.

10
11 COUNCILMEMBER ERVIN:

12 Thank you very much. I just want to point out, though, that the planning funds are
13 \$225,000 and the facility upgrade and repair work is only \$185,000. I don't see how that
14 could prevent you from building a school, for example. I mean, it is what it is--

15
16 COUNCILMEMBER KNAPP:

17 Not this year.

18
19 COUNCILMEMBER ERVIN:

20 Not this year, so I'm just saying-- Clean water is important. You are now a permittee. It's
21 not what you wanted necessarily, but it's what you got. So I think we can work through
22 whatever difficulties we have as we move forward into the future. So, if no other
23 questions, we'll move on.

24
25 COUNCIL PRESIDENT ANDREWS:

26 No other questions.

27
28 COUNCILMEMBER ERVIN:

29 OK. We're at MCPS technology modernization. "The Education Committee recommended
30 2 major changes to the tech mod pdf. Temporarily increase the desktop replacement
31 schedule from 4 to 5 years and reduce expenditures from FY10 to 12. This results in a net
32 decrease in current revenue of \$2.373 million in FY10. This is consistent with the
33 schedule for all of county government." Number 2, "Program Federal e-rate funds in the
34 tech mod pdf. As a funding source for the interactive technology initiative Promethean
35 board. Payment obligation through FY12. The committee recommended this action as a
36 means to account for the current funding assumptions for the initiatives and did not
37 recommend any additional county funds to support the payment schedule." Any
38 questions?

39
40 COUNCIL PRESIDENT ANDREWS:

41 There are none. I don't see any.

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1 COUNCILMEMBER ERVIN:

2 Um... Number 3. "Add text to the pdf reflecting the timing and status of the initiative. The
3 financing payments through FY12 and the funding assumptions. Council staff
4 recommends that the text below replace the current last paragraph of the pdf. In FY10,
5 MCPS purchased and installed interactive classroom technology systems in
6 approximately 2/3 of all secondary classrooms. The total cost of this initiative is projected
7 to be \$13.3 million financed over a 4-year period, \$3.4 million each year from FY09
8 through FY12. The funding source for this initiative is anticipated to be Federal e-rate
9 funds. The Federal e-rate funds program in this pdf consists of available unspent e-rate
10 balance of \$1.8 million in FY10, \$1.8 million in FY11, and .327 million in FY12. In addition,
11 MCPS projects future e-rate funding of \$1.6 million each year through--FY10 through 12
12 that may be used to support the payment obligation pending receipt and appropriation. No
13 county funds may be spent for the initiative payment obligation in FY10 through 12 without
14 prior Council approval." Any comments or questions?

15
16 COUNCIL PRESIDENT ANDREWS:

17 There are none. Go ahead.
18

19 ESSIE McGUIRE:

20 I need to make one technical clarification to the committee's recommendation. The
21 Executive, in his budget adjustments for the CIP, had recommended a funding switch in
22 this project from--there are 2 kinds of current revenue in this project. There's recordation
23 tax, current revenue, and general current revenue. And the executive had recommended
24 to switch some of the funding from general to recordation tax. The committee had
25 accepted this recommendation, and it is reflected in the numbers that you see here in your
26 packet; however, upon further review, that action accepting that recommendation would
27 increase the Council's estimate--would increase the Council's action on recordation tax
28 above its current estimate. And so staff's recommendation now is actually to not accept
29 that funding switch. So we would just put the money back into general current revenue. It
30 would not affect the net reduction that the committee has recommended or the final
31 expenditure total. It would just be between those 2 funding sources.
32

33 COUNCIL PRESIDENT ANDREWS:

34 OK.
35

36 COUNCILMEMBER ERVIN:

37 Thank you. Essie, is there anything else?
38

39 ESSIE McGUIRE:

40 No, that completes the committee's recommendation on these projects.
41



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1 COUNCILMEMBER ERVIN:

2 OK. Council President.

3
4 COUNCIL PRESIDENT ANDREWS:

5 Thank you very much, Chair Ervin. Thank you all very much. Good to see you and see
6 you again soon. All right, we're now going to move on to Item 9. That is the recreation
7 department budget, and CIP amendments in number 10. And I will turn to the chair of the
8 Planning, Housing and Economic Development Committee, Councilmember Knapp, for
9 this report and invite the representatives here from the recreation department to join us at
10 the front. Councilmember Knapp.

11
12 COUNCILMEMBER KNAPP:

13 Thank you, Mr. President. I'm just waiting for the staff transition to take place.

14
15 COUNCIL PRESIDENT ANDREWS:

16 Sure.

17
18 COUNCILMEMBER KNAPP:

19 Welcome the staff of our Department of Recreation. If you look on the front page of our
20 packet, it walks through the modifications. The Executive recommended a budget of
21 \$30,810,740 for the department. The committee actually recommended a further reduction
22 of \$79,000. I would point people to page 3 of our packet, if you look at the overview,
23 though. The budget that the Council approved last year in FY09, it was \$32,457,220. So,
24 the budget that is before us represents a 5.1% reduction from last year's approved budget
25 and takes the work years down from about 450 down to 421. So there are real reductions
26 in this budget which will have an impact both on people and on activities throughout our
27 county as the Department of Recreation and the recreational assets that our families like
28 to enjoy. I will walk us through--the one big issue, obviously, as you look at a budget
29 modification of this size and a staffing modification is there are questions as to what is the
30 most efficient and effective way to actually continue to deliver services as fast as possible.
31 And the department is looking very closely at how they're structured and organized and
32 will be coming back with different perspectives as to what they're doing and how they're
33 doing it in the coming months. I know it's not easy, but I know they're working very hard at
34 trying to come up with the most efficient way to deliver the services to our residents, and I
35 appreciate their efforts in doing so. The first big expenditure issue I will turn to staff on,
36 because it continues to try to move a little bit, which is the Piney Branch Elementary
37 School pool. I'll turn to Ms. Yao to walk us through that issue. We've obviously seen lots of
38 e-mail from the waning hours of Friday afternoon to the time we got here on Monday with
39 people's interests and concern about that issue. And the longer we wait, the number that
40 is being requested continues to go down. So we naturally want to wait till Friday, and by
41 the time we get there it should not be that big a deal. Ms. Yao.

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1 VIVIAN YAO:

2 Adventist Community Services of Greater Washington originally requested \$206,750 to
3 operate the Piney Branch Elementary School pool for Fiscal Year '10. The newly revised
4 request by Adventist, which I just passed out to you, is \$37,936 to operate the pool. And
5 that includes some revised protections related to revenues that they will be collecting for
6 Fiscal Year '10, revenues that they have collected for Fiscal Year '09 that they will not be
7 putting toward operating in Fiscal Year '09, and also lower operating costs for the pool.
8 Basically, as of the last committee session, the committee did not recommend placing the
9 funding for the pool on the reconciliation list and has requested additional information
10 related to how much it would cost to operate the pool on Saturdays, which committee
11 members expressed as an important time to have services to the public. And they also
12 wanted some information related to potentially additional fees collected for the pool. So, in
13 your packet, there's some information related to cost projections if you increase the rates,
14 on page 9 of your packet. And we have since learned from the Recreation Department
15 that just a ballpark amount for operating the pool on Saturdays would cost about \$35,000,
16 including pool operations, lifeguards, and fees for the community use of public facilities.
17 So, that's what's before you.

18
19 COUNCILMEMBER KNAPP:

20 So, what we have before us now as opposed to a request for, what is it, 85--

21
22 VIVIAN YAO:

23 It was 83,000.

24
25 COUNCILMEMBER KNAPP:

26 83,000, which it's been modified downward to \$37,936?

27
28 VIVIAN YAO:

29 That's correct.

30
31 COUNCILMEMBER KNAPP:

32 I've not had a chance to poll Councilmembers on the committee as to this, so I don't know
33 if people feel better or worse about this. I would turn to Miss Floreen first just to see if she
34 has any perspective and then turn to other Councilmembers.

35
36 COUNCILMEMBER FLOREEN:

37 Well, thank you. Let me just ask. Does this assume... projected revenues that would
38 include Saturday opening?

39
40 VIVIAN YAO:

41 The 37 does not include the Saturday opening. It would be just the grant request from
42 Adventist Community Services, and they would be operating every day except Saturdays.



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1 I think there was discussion about--and the Rec Department can clarify--about potentially
2 working with Winkler, who is the licensed operator of the pool. And they came up with this
3 figure for-- so it would be an additional 35,000 to operate the pool on Saturdays.

4
5 COUNCILMEMBER FLOREEN:

6 Right, but are they proposing that-- this letter that we have, I'm guessing does not reflect
7 any of that.

8
9 VIVIAN YAO:

10 Doesn't reflect the Saturday operation so far as I understand.

11
12 GABRIEL ALBORNOZ:

13 And, Councilmember, the 35,000--Gabe Albornoz, Director of Recreation Department.
14 The 35,000 also doesn't reflect the revenues that would be generated--

15
16 COUNCILMEMBER FLOREEN:

17 Yeah, that's the other part.

18
19 GABRIEL ALBORNOZ:

20 Right. So that's just expense. So it would be less than that when you factor in revenues.

21
22 COUNCILMEMBER KNAPP:

23 Do we have a calculation to that effect?

24
25 VIVIAN YAO:

26 I did some--oh.

27
28 COUNCILMEMBER KNAPP:

29 [Indistinct]

30
31 COUNCILMEMBER FLOREEN:

32 Just trying to understand what it is we're talking about here. So those are elements of the
33 conversation as well as they are rolling over \$40,000 of this year's appropriation because
34 it's not going to be spent? So was that already included in your--

35
36 VIVIAN YAO:

37 That was not included.

38
39 COUNCILMEMBER FLOREEN:

40 So that's really the bulk of the reduction in the request then--the fact that they're not
41 spending what we'd appropriated for this year, is that right?



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1 VIVIAN YAO:

2 My understanding is that it was reduced by the amount that they weren't--that they were
3 collecting in revenues for Fiscal Year '09 that they weren't using towards operation. But I
4 also understood that the cost of operating the pool was also not as high as they had
5 originally projected. So that--

6
7 COUNCILMEMBER FLOREEN:

8 Do we have something that just sort of spells this all out?

9
10 VIVIAN YAO:

11 Well--

12
13 COUNCILMEMBER FLOREEN:

14 Does the letter that we got from them reflect all that? The 40,000 that you're using from
15 this year to fund next year. That's not in there?

16
17 VIVIAN YAO:

18 What it says is that the projected revenues--it's 27,000 that they are collecting this year
19 that they will not be spending for Fiscal Year '09 use. And then they also have an
20 additional, again, cost savings for operating the pool, which is 18,624. So what they did is,
21 they took the original budget, which you--the committee reviewed at its last session. They
22 subtracted 10,000, which is the contribution from the city of Takoma Park. Then they
23 added in what the saving in revenues from Fiscal Year '09 as well as the--

24
25 COUNCILMEMBER FLOREEN:

26 So, what they're saying is because they don't need the 40,000 from this year that we
27 should roll it over to support this number. Is that what they're saying?

28
29 COUNCILMEMBER KNAPP:

30 No.

31
32 VIVIAN YAO:

33 No.

34
35 COUNCILMEMBER KNAPP:

36 That's not what are.

37
38 RON WILEY:

39 Ron Wiley.

40
41 COUNCILMEMBER KNAPP:

42 Wiley.



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1 RON WILEY:

2 We understood that we could not rollover the 40,000 that we project. It's unspent from the
3 Fiscal Year '09.

4
5 COUNCILMEMBER FLOREEN:

6 That's correct.

7
8 RON WILEY:

9 That goes back to the Montgomery County treasury.

10
11 COUNCILMEMBER FLOREEN:

12 Well, we could.

13
14 RON WILEY:

15 Well, you can, fine.

16
17 COUNCILMEMBER FLOREEN:

18 And that's what you're suggesting.

19
20 RON WILEY:

21 Even in my most Napoleonic moments, I would never suggest to tell you what you can do.

22
23 COUNCILMEMBER FLOREEN:

24 Well, it's always helpful to offer a suggestion.

25
26 RON WILEY:

27 OK, then what we did, we reduced--

28
29 COUNCILMEMBER FLOREEN:

30 You're--

31
32 RON WILEY:

33 the 83,000. We took off the 27,000 that we project for revenue that was generated, and
34 we've already generated 15,000 of that--in fact, about 20,000. So over the next 6 weeks of
35 this fiscal year, we will do the 27,000. So we reduced that down from the 83 to 56. OK?

36 Then with the admonition of the 1960s:

37 "Ask not what Montgomery County Council can do for us--"

38
39 COUNCILMEMBER FLOREEN:

40 Ha ha!

41



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1 RON WILEY:

2 "ask what we can do for the Montgomery County Council," we looked at our budget--

4 COUNCILMEMBER FLOREEN:

5 That's an unusual statement to be made from over there, you know.

7 RON WILEY:

8 Well, it's the company I'm keeping that inspires all this.

10 COUNCILMEMBER ERVIN:

11 This will be played over and over again.

13 COUNCILMEMBER KNAPP:

14 Ha ha!

16 RON WILEY:

17 I'm afraid it might be.

19 COUNCIL PRESIDENT ANDREWS:

20 You're doing great so far.

22 COUNCILMEMBER KNAPP:

23 Keep going, keep going.

25 RON WILEY:

26 The fact is that we reduced 2 budget categories in our midnight memo last night. OK? And
27 I feel very strongly that coupled with the 4 or 5, whatever, revenue generators that we
28 haven't yet been able to put in place, we feel that if you can do 38,000--first of all, you'll
29 have 2,000 left from the unspent portion of Fiscal Year '09, and I feel very confident that
30 we can produce the operation of the pool for this year. Secondly, you noticed, I hope, on
31 the midnight memo "we should also advise you that our goal for Fiscal Year '11 should be
32 that Piney Branch pool will be self-sustaining and require no subsidy from the county for
33 operations." And that's our goal. And I sit here today telling you that I think that's doable.

35 COUNCILMEMBER FLOREEN:

36 OK.

38 RON WILEY:

39 Much of the-- I don't get full credit for it. Much of the credit goes for 2 people that are here:
40 Terry Seamens and his wife and Susan Katz Miller, who's done a very good job on
41 marketing, et cetera, et cetera, and whipping up community spirit.



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1 COUNCILMEMBER FLOREEN:

2 Absolutely. Thank you.

4 RON WILEY:

5 Which is easy to do in Takoma Park.

7 COUNCILMEMBER FLOREEN:

8 Indeed, it is. Thank you very much. So, then, I believe that's right, though. It's the \$40,000.
9 What did we appropriate for this year, do you recall?

11 VIVIAN YAO:

12 It was \$206,700--

14 COUNCILMEMBER FLOREEN:

15 206 whatever of that. What has been spent is about 160,000?

17 RON WILEY:

18 No, let's say what happened. You appropriated that for 9 months, the school year. It turns
19 out that with the renovations to the pool, et cetera, et cetera, the pool didn't open till
20 February 11th.

22 COUNCILMEMBER FLOREEN:

23 Right.

25 RON WILEY:

26 So we got 23,000 a month, which is 207 divided by 9. And these figures are off the 4 1/2
27 months we will have operated in Fiscal Year '09.

29 COUNCILMEMBER FLOREEN:

30 Thank you. So, but... then there is money that the Council appropriated for '09 that is not--
31 could be employed, basically, to carry over into next year? Mr. Leventhal is nodding. So
32 that would be, in my mind, a way to resolve this, and I compliment the parties.

34 COUNCIL PRESIDENT ANDREWS:

35 Thank you, Councilmember Floreen. Councilmember Leventhal.

37 COUNCILMEMBER LEVENTHAL:

38 Great. Well, um... the only people who want this pool are the hundreds of children and
39 parents and elderly people seeking exercise. The county doesn't want it. The school
40 system doesn't want it. The city of Takoma Park doesn't want it. Nobody wants to run it.
41 Nobody took responsibility for running it. And a vigorous advocacy movement from the
42 community who really appreciates is got it on the radar screen, but we're still playing hot



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1 potato with it because nobody really wants to step up and be responsible for it. So City
2 Councilman Terry Seamens identified Adventist Community Services. Ron Wiley's here to
3 be the good soldier who would facilitate the operation of the pool. And you're seeing now
4 that he's finding what is in effect a cost neutral way to keep the pool open in Fiscal '10,
5 since we've already appropriated all of the dollars that we thought we would spend in
6 FY09 that will be necessary to do it in FY10. So it's, in effect, a cost neutral proposal that's
7 here before us. I hope my colleagues will support it. What still remains unresolved is now
8 that-- let us hope and assume that the Council agrees to, in effect, reappropriate this
9 37,936 that we've already agreed to a year ago and that we couldn't spend because of
10 delays in opening the pool, let's hope that we do that. If we do that, then 2 years in a row
11 the County Council will have indicated that it believes that this is a community asset in an
12 underserved, low income, very diverse community. I'm glad Councilmember Ervin's here.
13 She can help me out on this. I hope Mr. Elrich will join us as well. The three of us have
14 been working hard to make this happen with the community supporters who are here. So
15 then the question is for the Recreation Department. Can we have this in the base next
16 year? Can we acknowledge that this is a community priority, that it's a County Council
17 priority. It was not an MCPS priority. It has not been, to date, a Rec Department priority. It
18 was not in the Rec Department's budget, much to my disappointment. The Rec
19 Department indicated there were issues that were unresolved. We're trying to resolve
20 those issues. On the question of Friday evenings and Saturdays, I'd like to ask the Rec
21 Department if we could begin working on that. When I asked that question a little while
22 ago, I was told, "Well, it has to be a competitive bid. An RFP would have to be drawn up. It
23 would take too long. We couldn't have it up and running in time for September." The pool's
24 going to be shut down in the summertime anyway. We've assumed that there's availability
25 of outdoor pools in the summertime. So, it'll end right around the time the school year
26 ends, and it'll reopen right around the time the schools reopen. And between now and
27 then, could we have the Rec Department spend a little time looking into whether it might
28 be possible to establish a direct contract with an operator, whether it's the already
29 identified operator or not, and work through these remaining issues with some help and
30 leadership from the Rec Department, which, to date, has said, "We don't want to have to
31 deal with this." We're not cutting into the Rec Department's budget at all if we go ahead
32 with this proposal that's before us now. But it doesn't answer what happens in Fiscal '11,
33 '12, et cetera. So, having had this discussion earlier today about building things into the
34 HHS Department's base, my hope would be that we could work with the Executive branch
35 not against the Executive branch and figure out a way to keep this pool operating for the
36 next several years. The useful life of this pool is not forever. It's an old pool.

37
38 COUNCILMEMBER KNAPP:

39 I would just ask one question. Because if I heard Mr. Wiley, he said once we get to FY11,
40 we don't need additional resources. It pays for itself. So I'm not sure what would need to
41 be built into the base.



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1 COUNCILMEMBER LEVENTHAL:

2 Sure, but the issue of Fridays and Saturdays is still unresolved because the Adventists
3 won't take responsibility for Friday night and Saturday. So if we were going to establish
4 some direct relationship with the operator, it would have to be outside of Adventist
5 Community Services. It also bears asking since Adventist Community Services has
6 stepped up to the plate--once we get this up and running, it may be feasible, with great
7 appreciation for what they've done so far, to eliminate the middle man. It may be that the
8 Rec Department could establish a relationship with the operator, particularly if it is self-
9 supporting, once it's been up and running and self-supporting. That should not be such a
10 burden on the department. So, first of all, I'm going to go ahead and move now that the
11 Council agree to 37,936 to enable operations of the Piney Branch Elementary School
12 swimming pool in Fiscal 2010.

13
14 COUNCILMEMBER FLOREEN:
15 Seconded.

16
17 COUNCIL PRESIDENT ANDREWS:

18 All right, so it's moved by Councilmember Leventhal and seconded by Councilmember
19 Floreen. I know this strongly--

20
21 ANGELA DIZELOS:

22 May I? I'm sorry. Angela Dizelos, OMB. I just wanted to clarify. We do want to make sure
23 that we keep resources and expenditures separate. So to the extent that the 37,000 would
24 cover on the expenditure side, then that would be a good number to go forward. But I just
25 want to make sure that that's clear.

26
27 COUNCILMEMBER LEVENTHAL:

28 Well, Angela, let me ask about this 40,000. Because we thought that there would be 9
29 months of pool operations but it took longer than we expected to get the pool up and
30 running, has the County Executive already assumed those savings, those 40,000? Or are
31 we assuming those 40,000--I'm asking OMB now, Ron.

32
33 ANGELA DIZELOS:

34 If those are FY09--if that's FY09 expenditures in the appropriation authority to the extent
35 that those funds have been encumbrant in a contract that can be carried forward, then
36 that would be a mechanism for carrying it forward. Otherwise, because this is operating, if
37 it's FY09, unless there's an encumbrance in place and then that same encumbrance can
38 be used in FY10 and the contract allows it to be carried forward, I don't know of a
39 mechanism that would allow us to keep it from '09 to '10. So, I'm not sure of the details
40 with--



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1 COUNCILMEMBER LEVENTHAL:

2 Well, did the Rec Department do this math? Did the Rec Department figure that we were
3 not going to spend that 40 and had that 40 already been accounted for?
4

5 ROBIN RILEY:

6 It was encumbered Robin Riley with Recreation Department. The money is in a contract. It
7 was encumbered in the full amount.
8

9 COUNCILMEMBER LEVENTHAL:

10 Easy. So it nets out to no cost at all. It's already appropriated, and all we're doing is
11 reappropriating it.
12

13 COUNCIL PRESIDENT ANDREWS:

14 OK. All right.
15

16 ANGELA DIZELOS:

17 So, then the issue, then, is in FY10 to assure that the amount that we're putting for
18 appropriation purposes includes all expenses that have to be paid in '10, regardless of
19 whether or not we're going to have revenues to be able to come in and offset that.
20

21 COUNCILMEMBER LEVENTHAL:

22 Well, if the contract is already executed, would the contract roll over into the next fiscal
23 year? Maybe we don't need to vote at all. Maybe we can just give them the money that
24 they've already been awarded.
25

26 ANGELA DIZELOS:

27 The contract does expire. I'm sure we can write an amendment.
28

29 COUNCILMEMBER LEVENTHAL:

30 It expires June 30?
31

32 ANGELA DIZELOS:

33 Correct.
34

35 COUNCILMEMBER LEVENTHAL:

36 OK, so we still need the sense of the Council that we want this agreement with ACS--
37 Adventist Community Services-- to continue into FY10, but the dollar amount is the same.
38 We're not appropriating any new dollars.
39

40 COUNCIL PRESIDENT ANDREWS:

41 OK. All right. It's been moved and seconded. Any discussion? Councilmember Ervin.
42

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1 COUNCILMEMBER ERVIN:

2 Yes. Thank you very much and to Councilmember Leventhal and to Councilmember Elrich
3 for their leadership on this. I think it's a very important community asset, but I do have a
4 question about as we move forward, the use of the pool and by whom. And my big
5 concern, actually, is addressed on page 8 of this memo, where it says, "ACSGW reports
6 that approximately 35% of paid swimmers during community use hours are youth, about
7 50% are adults, and about 13% are seniors. Most of the pool use has been from county
8 residents who can afford the regular admission price. Only about 6 nonresidents have
9 used the pool, and very few swimmers have asked for the low-income rate." The reason
10 I'm bringing this up is because in that community, it's surrounded by very low-income
11 housing with lots of children. That pool should be packed with children who probably
12 would use the low-income rate. So I want to know what you'll be doing in the future to
13 promote use of the pool by the very people who we really are trying to advocate for here
14 currently. So, if you have a plan, I would really love to hear it.

15
16 RON WILEY:

17 I don't know that we have a pool plan, but we looked at those statistics, Miss Ervin, in the
18 same way you did. One of the first things that I did when this materialized was to ask
19 Terry Seamens to chair a community pool advisory committee. So we've got a lot of good
20 input in terms of the management. We have already discussed a much more intensive
21 marketing effort in the low-income areas. And at the very beginning, I indicated that
22 because of the need to generate revenues, there could well be an undue effort to bring in
23 activities to the pool that would generate money. But the real objective and the real reason
24 that ACS took this on is because we thought it was part of our opportunity to serve the
25 community, not generate revenues. And so my first little spiel-- and they, too, were glad
26 they weren't paying me by the word-- was to make sure that we reserve time for citizens
27 and kids. And one of the things that we did this year is, in the school, we gave--usually
28 they have a 6-week session of swimming for the students in the fall and in the spring. This
29 year, there was no--since we opened the pool in February, there was no fall. But we've
30 done 2 sessions. Because of renovations, we couldn't do the first one for 6 weeks. We
31 only did it for 4 weeks. But we did do it for 4 weeks, and we're finishing another 6-week
32 session. And we're going to really push. That's why we kept our fees lower, too, but we
33 want to examine that now. Remember something. We have had only basically 10 weeks
34 of experience when we put this data.

35
36 COUNCILMEMBER ERVIN:

37 That's fair, but--

38
39 RON WILEY:

40 And we've learned a lot from that.



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1 COUNCILMEMBER ERVIN:

2 I'm sure you have, but I'm just saying that in that neighborhood, especially, it would be a
3 shame if there wasn't some thought or effort given to the fact that many of those families
4 aren't going to be able to afford to pay to go to anything, whether that be the pool or any
5 other kind of activity. So, I'm going to be watching that carefully because it's not an asset
6 for the community if people who live in the community can't use it.

8 RON WILEY:

9 I'm going to help you watch it.

11 COUNCILMEMBER ERVIN:

12 Thank you.

14 COUNCIL PRESIDENT ANDREWS:

15 Thank you, Councilmember Ervin. Any other questions or comments on this?

17 COUNCILMEMBER KNAPP:

18 We've just got the motion before us.

20 COUNCIL PRESIDENT ANDREWS:

21 Motion before us. All right. All those in favor of the motion, which I think we all understand
22 as to what it would do, please raise your hand. All right. That's Councilmember
23 Trachtenberg, Councilmember Floreen, myself, Council Vice President Berliner,
24 Councilmember Knapp, Councilmember Ervin, and Councilmember Leventhal. It's
25 approved, 7-0.

27 RON WILEY:

28 Thank you very much.

30 COUNCIL PRESIDENT ANDREWS:

31 Thank you.

33 COUNCILMEMBER KNAPP:

34 Thank everyone for their efforts on that project. Now turning to page 10, looking at
35 program reductions, there were a number of things that had been recommended for
36 reduction in this, which the committee reluctantly accepted, the first of which was teen
37 club programs and activities and trips for Midland High School Students, reduction of
38 595,000. They're good programs. We just don't necessarily have the resources; however,
39 what I would put forward is a recommendation from the committee for additional resources
40 to be placed on the reconciliation list. Was it last year or the year before? We actually--the
41 Rec Department split up its programming into recreation regions so they could be a little
42 more centralized and meet the needs of different parts of the county more effectively. And

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1 at this point, the committee would like to place \$80,000--\$20,000 to each of the regions--
2 on the reconciliation list to allow them to increase some measure of programming as they
3 see fit in some of those regions. It's not a huge number, but it helps a little bit and it
4 doesn't provide additional staffing, which I think is important because we're not going to be
5 able to carry that from year to year. But it does provide additional resources to reach out
6 to a number of children for the summer and in the coming school year. What was the
7 number, \$80,000? \$20,000 for each summer.

8
9 COUNCIL PRESIDENT ANDREWS:

10 OK. Is there a second?

11
12 COUNCILMEMBER KNAPP:

13 It's a committee recommendation.

14
15 COUNCIL PRESIDENT ANDREWS:

16 Sorry. Committee recommendation. All right.

17
18 COUNCILMEMBER KNAPP:

19 We just had followed up after we actually met, so it didn't make the packet.

20
21 COUNCIL PRESIDENT ANDREWS:

22 OK.

23
24 COUNCILMEMBER KNAPP:

25 Then Rec extra program reductions. Again, another one that we not happily went along
26 with. A reduction of the Rec extra programs from 38 schools to 25 schools. Upon further
27 reflection and getting some further analysis from Council staff and Rec Department staff,
28 there are 5 schools that are in fairly highly impacted areas--3 of which, actually, are in
29 areas that have FARMS rates exceeding 40%. And what the committee would
30 recommend is placing those 3 schools:

31 Forest Oak, Key, and Montgomery Village Rec extra programs on the reconciliation list at
32 a price of--a cost of, what, \$15,840 per school. I would actually put that on as one block
33 but not as 3 separate ones. So it would be \$47,000. OK. All right. Then another
34 recommendation--or another reduction, sports academy reductions was reducing down
35 police officers which takes about \$77,000 out of the budget. And if you look at the Rec
36 extra programs there now, actually-- turning to page 12--are fairly equally funded. There's
37 been kind of different levels of funding, different levels of participation. And our goal has
38 been to try kind of standardize them as much as we can to the extent that that makes
39 sense and meet the needs. So at least the funding is roughly equivalent now. And we'll
40 continue to monitor and see how effective those programs are. Then further down on
41 page 12, the series of staffing reductions, which, again, no one is pleased about
42 accepting, but it's the reality of what we're dealing with in this budgetary time. Then if you



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1 flip over to page 13-- a continued decrease of operating expenses for aquatic facilities.
2 There are 2 program enhancements. One was the operating budget for the Randolph
3 Road theater, which we actually--did we cut that in... we recommended a lesser amount.
4 The Executive had recommended \$36,000. We actually recommended only increasing
5 that by \$24,000, thereby saving an additional 12,000. And then the Midcounty Community
6 Recreation Center, which is coming online. And so, what we were recommending there is
7 to reflect the later opening date of November 2009, which will save additional \$67,000,
8 which was the other committee recommendation. Then, finally, one of the pieces I would
9 add is we have a subsidy program for low-income youth whereby they can get a subsidy
10 to do various rec programs. As I understand it, our subsidy has already begun to be
11 capped for this current calendar year. And so, what the committee would also recommend
12 is placing \$100,000 on the reconciliation list, which would serve approximately 143 low-
13 income families, so they can avail themselves of recreation services through the
14 remainder of the year. And those are the big elements in this budget that the committee
15 addressed. I would turn to the director and see if he had anything he would like to add.

16
17 GABRIEL ALBORNOZ:

18 Not very much, Councilmember. You did a good job reviewing. Just, obviously, the
19 decisions we've had to make are very painful. Reconciling everything we've had to
20 reconcile has been especially difficult, especially on our staff. We are blessed to have an
21 incredible staff within the department who is going to be working tirelessly to pick up,
22 frankly, the slack from all the positions we're going to have abolished moving forward. But
23 we're confident we're still going to be able to provide a strong core set of services at a
24 very high quality and that's very safe. And so, we look forward to working with you
25 beyond.

26
27 COUNCIL PRESIDENT ANDREWS:

28 Thank you. Councilmember Ervin has a question or comment.

29
30 COUNCILMEMBER ERVIN:

31 Just a comment. I just want to thank the committee for all its hard work and Mr. Albornoz
32 and your whole staff for your incredible work each and every day, because for many
33 families and youth in this community, your department is a lifeline. And I know these were
34 very, very painful cuts. They're painful for me to just look at during the review. And when
35 we get to capping financial assistance for these very families we were talking about just a
36 little while ago about the Piney Branch pool, if there's anything that we can do--and I know
37 that the Chair has tried very hard to put things back on the reconciliation list, but when
38 summer comes and we see all these children and young people on the street with no
39 place to go, no place to be, no job... I mean, we're going to have to really look hard at
40 what we're doing here because this pool of youth continues to grow in our community,
41 especially those who have financial constraints. So, I would just urge the Council when we
42 review the reconciliation list, this is one of the first places I'm going to look to put money



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1 back. So, I thank you for your continued and incredible hard work, Mr. Alborno, and your
2 whole department because these are extremely painful cuts.

3
4 COUNCIL PRESIDENT ANDREWS:

5 OK. Thank you. So, Councilmember Knapp, what I understand is in terms of the revised
6 committee recommendations, it's 4 increments of 20,000 each for the teen club programs.

7
8 COUNCILMEMBER KNAPP:

9 Actually, I'll put that on as just one increment of 80.

10
11 COUNCIL PRESIDENT ANDREWS:

12 Just 80.

13
14 COUNCILMEMBER KNAPP:

15 Yeah, because otherwise we end up with disparity across the region. So I'll just do one
16 increment of 80, which would then be allocated at 20 per region.

17
18 COUNCIL PRESIDENT ANDREWS:

19 OK, and 47,000 for the--

20
21 COUNCILMEMBER KNAPP:

22 Rec extra sites.

23
24 COUNCIL PRESIDENT ANDREWS:

25 Restoration on that.

26
27 COUNCILMEMBER KNAPP:

28 And \$100,000 for the subsidy program.

29
30 COUNCIL PRESIDENT ANDREWS:

31 OK. All right.

32
33 COUNCILMEMBER KNAPP:

34 Don't see any objection. And I would also just like to thank our staff, very much thank the
35 Department of Recreation staff because, to Miss Ervin's point, you do a great job out
36 there, and this is not going to make it any easier for you to get that job done. But I know
37 the commitment that you folks have and look forward to seeing your bright, shiny faces
38 out there during the course of the summer. And I think it's important, especially as it
39 relates to the subsidy program or other programs where we're really trying to meet a
40 significant need, keep us posted in the coming months, because to the extent that... that's
41 one of those things, it's going to hit us one way or the other. To the extent that we can try
42 to address with some resources during the coming year, if we need to, then let's try to do



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1 that because it will prevent other activities from worsening. So, thank you very much for
2 your efforts.

3
4 COUNCIL PRESIDENT ANDREWS:

5 OK. Thanks. OK. Council Vice President Berliner has a comment or question.

6
7 COUNCIL VICE PRESIDENT BERLINER:

8 I was curious, Mr. Chairman, with respect to the issue of activity fee revenue. And I don't
9 know if we were in that part of the packet yet, but we've just put a number of items on the
10 reconciliation list, which I think are certainly appropriate items. But I do ask myself about
11 activity fees and whether or not we are recouping some of these costs appropriately and
12 whether there isn't some opportunity to, perhaps, have some modest increase in our
13 activity fees. I understood staff had pointed that out in the packet and suggested
14 increments of, perhaps, \$100,000. I feel like in this moment in time, to be recovering
15 dollars where we can, where it's appropriate from our citizens for these kinds of services is
16 not inappropriate. And so I just pose the question, Mr. Chairman, and to my other
17 colleagues as to whether or not as we add these items in, these additional services that
18 we want to be able to provide, whether there isn't some mechanism to recoup some of
19 these dollars.

20
21 COUNCILMEMBER KNAPP:

22 I think the committee had that conversation and is mindful of what you're saying. I think as
23 we looked at the populations that we're serving that we're trying to actually--we're trying to
24 increase access to, generally, folks who aren't at the higher end of our income scale in
25 this county, and to try to increase the fees was going to have an impact on those people
26 we're trying to impact the most by providing them with services. And so it's something
27 we're going to continue to watch, and in the course of the review of the parks and Parks
28 and Recreation discussion in the coming year, which the committee's going to spend a lot
29 of time on to look at pricing and activity fees and other things in that broader context to
30 make sure that there is consistency across Parks' programming and Rec's programming.
31 We want to look at that, but we didn't think at this point in time that made a lot of sense to
32 try to increase prices when we're trying to actually subsidize other prices for folks to get in
33 the program. It seemed like we were trying to--we're going to be impacting the very
34 communities we're trying to assist. And that didn't make a lot of sense to us, especially
35 since we're going to spend a lot of time in the coming months to examine it further.

36
37 COUNCIL PRESIDENT ANDREWS:

38 OK. Thank you. So that concludes the operating budget.

39
40 COUNCILMEMBER KNAPP:

41 That does conclude the operating budget.



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1 COUNCIL PRESIDENT ANDREWS:

2 OK, on the Rec Department. Now we'll move on to the CIP amendments.

3
4 COUNCILMEMBER KNAPP:

5 This was fairly straightforward. We had approved the appropriation of \$534,000, the FY10,
6 for the purpose of repaying ALARF for the purchase of land at the Wheaton Community
7 Center for Rafferty. Scheduling a closed session after the budget to receive a status
8 update on the land acquisition process and recreation facility modernization. We
9 considered delaying the FY10 appropriation of \$75,000 in current revenue, if needed, to
10 close the operating budget deficit. Those were the two recommendations. Everything else,
11 to our knowledge--in particular our community rec centers, which I know was a very
12 keenly watched element in last year's CIP--are all continuing to move forward. And we
13 appreciate the diligence on the part of the Department to make sure those programs are
14 implemented as quickly as we can for the benefit of our communities. Missing anything?

15
16 COUNCIL PRESIDENT ANDREWS:

17 OK. No questions or comments.

18
19 COUNCILMEMBER KNAPP:

20 Thank you all very much.

21
22 COUNCIL PRESIDENT ANDREWS:

23 Thank you. All right, thanks to Chairman Knapp. We're now going to move on to the
24 utilities budget, which is under the T&E committee. I'll turn to Chair Floreen.

25
26 COUNCILMEMBER FLOREEN:

27 And I will turn to Councilmember Berliner.

28
29 COUNCIL VICE PRESIDENT BERLINER:

30 And who will I turn to?

31
32 COUNCILMEMBER FLOREEN:

33 Ha ha!

34
35 COUNCIL VICE PRESIDENT BERLINER:

36 Me! I think, really, we only have one item that I believe is worthy of my colleagues'
37 attention and a vote with respect to. And that is my desire to assume a reduction in our
38 energy consumption by 4%, which would achieve a reduction in our operating budget by
39 approximately \$1.2 million.

40
41 COUNCILMEMBER KNAPP:

42 In the general fund NDA.



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1 COUNCIL VICE PRESIDENT BERLINER:

2 In the general fund NDA.

4 COUNCILMEMBER KNAPP:

5 It's not across all the agencies--just within the NDA.

7 COUNCIL VICE PRESIDENT BERLINER:

8 Understood. I have shared this with our department director, and quite frankly I believe
9 this is very doable--a 4% reduction in our consumption of energy. And if we don't do it
10 now, I don't know when we would do it. So we are facing very daunting fiscal challenges.
11 We have incredible environmental challenges. And both can be addressed in part by
12 simply reducing our consumption. And I believe we can do this without making a major
13 investment in energy retrofits. That, too, will be necessary in order to achieve greater
14 reductions. But we can achieve a 4% reduction simply by changing our behavior. That
15 requires a change in the culture around our energy consumption. That requires leadership
16 from our director to ensure that our employees and in our buildings--that we do the things
17 we ought to be doing, including maybe we take out some of these lights right here. So--
18 ha! Maybe not the camera lights, not the camera lights, but everything else. We can do so
19 much in this regard, and it would be a savings for our operating budget of over \$1.1
20 million. So I would ask David if you'd care to comment with respect to this and whether I
21 can--we can enlist you as our partner in this exercise and to ensure that we drive home in
22 each of our buildings--perhaps have a competition as to which building can reduce its
23 energy consumption the most. But I'd be grateful for your thoughts and comments, sir.

25 DAVID DISE:

26 I don't think there's any doubt that behavior can be and needs to be changed. From
27 turning off lights in offices to using water more efficiently to looking at some of our simple
28 low-cost to no-cost solutions to reduce our energy consumption on both electricity as well
29 as water. You can see in the Council packet that rates have gone up for the utilities, and
30 that's driving a lot of our cost increases, but the demand is also an undisputable part of
31 that. So, yes, we agree that behavior needs to be changed, and we have a number of
32 solutions that we are planning over the course of the next year both in employee
33 enlistment as well as practical changes to our facilities to drive that change down, which
34 was noted in the EMG report that was also in the Council packet as one of those initial
35 Phase I sort of low-cost, no-cost solutions. But I also want to add that the budget that has
36 been presented is based upon our best guess of what those costs are going to be. And
37 though we can't promise what figure we're going to be able to save and how much money
38 we're going to save, so we want to encourage the Council to consider the Executive's
39 budget. The numbers that we've put forward are estimates. Ultimately, the utility costs that
40 we pay are the costs that we pay. The bill's going to come, and we're going to pay the bill
41 that comes in to pay that. We can't turn buildings off, but we are looking at ways in which



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1 we can monitor light usage, turn lights off in buildings, motion sensors, and things of that
2 sort that will change the way-- and how much power and energy the county consumes.

3
4 COUNCIL VICE PRESIDENT BERLINER:

5 Director Dise, if I could. If you look at page 3 of our packet at the bottom. The last
6 sentence, I think, summarizes very well. "The county's electricity rates are locked in till
7 2012." So we have to pay the bill.

8
9 DAVID DISE:

10 Absolutely.

11
12 COUNCIL VICE PRESIDENT BERLINER:

13 "So any savings must come from reduced consumption."

14
15 DAVID DISE:

16 It's a behavior issue.

17
18 COUNCIL VICE PRESIDENT BERLINER:

19 That's the charge that we are going to give you, sir, in order to reduce our utility bills by
20 4% so that we can save over \$1 million. So I would like to make such a motion that we--

21
22 COUNCILMEMBER FLOREEN:

23 I think it's a committee recommendation.

24
25 COUNCIL VICE PRESIDENT BERLINER:

26 It is a committee recommendation.

27
28 COUNCIL PRESIDENT ANDREWS:

29 OK. All right.

30
31 COUNCIL VICE PRESIDENT BERLINER:

32 Councilmember Ervin.

33
34 COUNCILMEMBER ERVIN:

35 Thank you very much. I just wanted to ask a question about this, because it seems to me
36 that we might be able to make this happen with a different approach. Instead of the stick,
37 saying, "You don't get 2% of the NDA"--what is it? 4% of the NDA--is to maybe work with
38 Mr. Dise and other folks from your shop to come up with a plan to reduce the consumption
39 instead of doing it the other way. I don't know. I'm not quite sure if I agree with just taking
40 out a flat 4% just to take it out without some other kinds of direction about the approach.
41 So I just want to hear from Mr. Dise what your thinking on that is.



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1 DAVID DISE:

2 Well, I agree. I think to Mr. Berliner's point, whether it's incentives, whether it's challenges,
3 contests--again, it's a behavior change. Our concern is what that 4% or a 2% is based
4 upon. We haven't had the chance yet. We have the EMG report, and the EMG report that
5 you have the summary of in your Council packet provides a number of good guidelines
6 and ideas, some of which we're already looking at. Anecdotally, I've already had a
7 conversation with Department of Corrections and in some of the changes that we can
8 make at corrections facilities that could net us some significant savings in simple water
9 usage. Lighting. As part of our electricity budget, lighting is 30% of that. That's over \$7
10 million. So, behavioral changes are there to be had. The concern I have is, I don't know
11 where that 4% would come from.

12
13 COUNCIL VICE PRESIDENT BERLINER:

14 Let me just share with my colleagues. I think your observation is right insofar as in, I
15 believe, the director is saying. In this moment, they don't know how they will get there. I'm
16 saying to you as a colleague, I am confident that if they are committed to getting there, we
17 will be able to achieve these savings. And I do think it's appropriate for us to direct, in
18 effect, that they find those savings and do so because we are talking about significant
19 dollars here. So from my perspective, I believe this is imminently doable. I understand if
20 you don't have the plan in place because we're just now, in effect, imposing an obligation,
21 if you will, on you to create a plan that will bring this about or just drive it. And you will
22 have our support. But this is doable. As you say, just by having a conversation with one
23 department, you could see how you could save \$100,000. And if you used your best
24 efforts and need to come back for supplemental, as you observed, we have to pay the
25 bills.

26
27 DAVID DISE:

28 Of course, and that would be our concern because that's--the bill is what the bill is.

29
30 COUNCIL VICE PRESIDENT BERLINER:

31 The bill is what the bill is, but this is a way in which this Council is saying to you you will
32 reduce that bill by 4% and make every effort to do so. And if you fail having made every
33 effort to do so, I'll need to understand how it is because I think this is so doable.

34
35 ALEXANDRE ESPINOSA:

36 Yes, sir. I would just add, as the Director's explained it, at this point it's speculative, the
37 reduction. And would point that out for the Council's information.

38
39 COUNCIL VICE PRESIDENT BERLINER:

40 It is speculative, and we are trying to change a culture of consumption.



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1 ALEXANDRE ESPINOSA:

2 Right.

4 COUNCIL VICE PRESIDENT BERLINER:

5 We will not change that unless we drive it.

7 ALEXANDRE ESPINOSA:

8 I understand. We caution against the Council allocating that money to a definite known
9 cost increase in the budget, because then it would not be available, obviously, to pay for a
10 supplemental appropriation.

12 COUNCIL VICE PRESIDENT BERLINER:

13 We will take your counsel under consideration.

15 COUNCIL PRESIDENT ANDREWS:

16 OK, I don't see any other comments on that, so that was the committee recommendation
17 and it's accepted.

19 COUNCIL VICE PRESIDENT BERLINER:

20 OK, and with that, I believe that we can approve this budget because the bills have to be
21 paid.

23 DAVID DISE:

24 We will pay them, yes.

26 COUNCIL PRESIDENT ANDREWS:

27 All right, thank you Council Vice President Berliner. Our next budget is--thank you all. The
28 Office of Human Rights operating budget. And, uh... I'll turn to Councilmember Leventhal
29 for this budget. Right? We're being joined at the table by representatives of the Office of
30 Human Rights. OK. Chairman Leventhal?

32 COUNCILMEMBER LEVENTHAL:

33 Yes. OK, the Executive recommends a total of \$2,179,690 for the Office of Human Rights.
34 That is a significant decrease, 12.9% from the current year approved budget of 2,501,500.
35 There is a net decrease proposed of 3 full-time positions and no change recommended in
36 part-time positions. On page 2 of the memo, there is an itemized list of the adjustments
37 from last year. The committee recommended a further cut of \$15,000 in the Office of
38 Human Rights Biennial Hall of Fame event. I've attended this event in the past. I know we
39 all support the event; however, the department had proposed that attendees would not
40 have to pay for their own lunch. It seemed to the committee that asking attendees to
41 purchase their own lunch at a cost of \$25 or \$30 was not much of a hardship in keeping
42 with the concept that there is no free lunch. So we took a \$15,000 non-recommended



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1 reduction for that event, and otherwise we approved the personnel reductions
2 recommended by the Executive. It had been brought to my attention that there are some
3 community concerns about eliminating investigator positions. We had a conversation with
4 the Director about those, and we went through each of the positions and were not
5 persuaded that eliminating any other positions made more sense than the ones that were
6 proposed for reduction. We're sorry to have to eliminate any positions here, but the
7 committee did not recommend restoration of the positions. So...those are the highlights of
8 the Office of Human Rights budget. Since the committee acted, it's been brought to my
9 attention that the commissioners themselves are requesting an additional \$3,000 for
10 outreach, printing, and other administrative expenses. And our hardworking volunteer
11 commissioners on the Human Rights Commission deserve our support. So I'd like to
12 move at this time that over and above the committee's recommendation that the Council
13 place \$3,000 on the reconciliation list to assist the commissioners with their administrative
14 expenses.

15
16 COUNCILMEMBER FLOREEN:

17 Seconded.

18
19 COUNCIL PRESIDENT ANDREWS:

20 Yes, it's moved and seconded. All in favor of putting on the reconciliation 3,000 for that
21 purpose? That is approved for the reconciliation list.

22
23 COUNCILMEMBER LEVENTHAL:

24 OK, our new director Mr. Stowe has never addressed the Council before. We're glad he's
25 on board. I don't know if you'd like to say anything to the Council before we approve this
26 budget.

27
28 JAMES STOWE:

29 Indeed it is the first time coming before you all. Again, we want to thank you for your
30 support, generally, in what we're doing. And I'm letting you know that we are hoping and
31 we are trusting that we'll be doing better and better and better next time we are before
32 you. And so, we certainly know that we've got the kind of staff in place to do that and
33 certainly the legacy to do that. And so we're prepared to begin a process of looking at our
34 operation from top to bottom to make sure we're operating in the most efficient way
35 possible and to ensure that at the end of the day we are the best problem solvers in
36 county government. That's our goal.

37
38 COUNCILMEMBER LEVENTHAL:

39 Well said. Thank you very much. And we know that you're working hard to eliminate the
40 backlog of cases that you're facing, and we'll continue to monitor your progress in that
41 area. So that concludes the Office of Human Rights, Mr. President.

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1 COUNCIL PRESIDENT ANDREWS:

2 Thank you. All right. And the budget is--No other comments. Thank you very much. All
3 right. We have one more item for this afternoon, and we do have a public hearing this
4 evening. Right? We do, don't we? No, no. It's tomorrow. It's tomorrow. Geez.

6 COUNCIL VICE PRESIDENT BERLINER:

7 Better not be!

9 COUNCIL PRESIDENT ANDREWS:

10 I knew it was...it's tomorrow night, tomorrow night. I knew I was getting some blank stares.
11 But tomorrow night is the Germantown public hearing. But we do have one more item, and
12 that is we're coming back on the apparatus on the MCFRS. So we have Chief Bowers with
13 us from the fire service, and we had some consultations with the Chief after the committee
14 met. And I think that my colleague on the Public Safety committee has seen this as well.
15 And if he's approving of it as well, we'll make it a committee recommendation. But our goal
16 was to be as responsive as possible to what we heard from the Chief and to respond to
17 his concern that we fund as many of the EMS units as feasible. And so, Chief Bowers
18 came back with a proposal that allocates the same amount of money that the committee
19 had allocated but in a different way in order to get up to 14 fully equipped BLS units and
20 keep the tanker in and continue to fund the two pump modules. So that would be a
21 different way but probably a better way, based on the expert advice we have from our
22 Chief, to spend that money on apparatus. And it does move us to beginning to catch up
23 with the deficit that we had over the recent years. If we were normally funding ambulances
24 on a replacement rate, we'd be funding about 10 a year. That hasn't happened in recent
25 years. This would begin to make up some of what didn't happen in the past and would
26 result in 14 fully equipped BLS units and then the tanker and the 2 pump modules. So I
27 hear support from my colleague as making this the new committee recommendation--

29 COUNCIL VICE PRESIDENT BERLINER:

30 I'm always supportive of a new committee recommendation and grateful for working this
31 out.

33 COUNCIL PRESIDENT ANDREWS:

34 I appreciate the good work. If there are no other comments, we will approve that and we
35 will be done, then, for the afternoon. OK? Thank you. Good job. Good job. Thank you all
36 very much. I do want to make one announcement before everybody goes, and that is that,
37 as I think many of you know, this is the week in which police officers who have fallen are
38 honored. And today, the Montgomery County Police Department is honoring the 15
39 officers who have fallen in the line of duty in our department, and we want to note this
40 solemn occasion and to recognize that we very much appreciate all that our public safety
41 officials-- police and fire--do and recognize the risks that they face on a daily basis. And
42 we particularly want to remember the 15 officers today who gave their lives in service to

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1 this county in the history of the Montgomery County Police Department since 1922. Thank
2 you.
3